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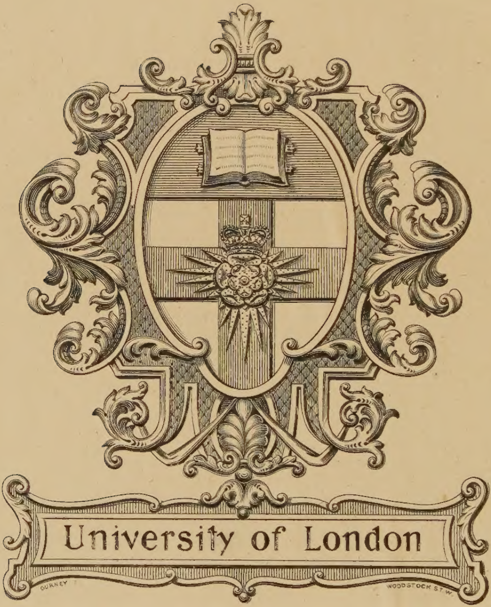

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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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54 VICTORIÆ, 1890-91.

VOL. CCCL.

COMPRISING THE PERIOD FROM

THE FIFTH DAY OF FEBRUARY, 1891,

TO

THE SECOND DAY OF MARCH, 1891.

Second Volume of the Session.

THE HANSARD PUBLISHING UNION, LIMITED,
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UNDER CONTRACT WITH H.M. GOVERNMENT.

1891.

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Chronology of Hansard's Debates.

The PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

The PARLIAMENTARY DEBATES commence with the year 1803, and the contents are set forth in the following Chronological Table:—

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— 333 to 340..52 — 1889
— 341 to 348..53 — 1890

ERRATUM.

Feb. 20 Mr. Stuart Rendel, on page 1295, line 26, *alter* 939,622 *to* 93,652.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

Sixth Session OF THE *Twenty-Fourth Parliament* OF THE
United Kingdom OF *Great Britain* AND *Ireland*,
APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF SESSION 1890-91.

HOUSE OF LORDS,

Thursday, 5th February, 1891.

The Lord Bishop of Ely—Took the Oath for the first time.

FACTORY AND WORKSHOP SANITATION BILL [H.L.]

A Bill to make regulations for the better sanitation of factories and workshops—Was presented by the Lord Thring; read 1^a; and to be printed. (No. 28.)

OYSTER AND MUSSEL FISHERY (LOCH SWEEN) ORDER CONFIRMATION BILL [H.L.]

A Bill to confirm an order made by the Secretary for Scotland under the Sea Fisheries Act, 1868, relating to the Oyster and Mussel Fishery (Loch Sween)—Was presented by the Lord Ker (*M. Lothian*); read 1^a; to be printed; and referred to the Examiners. (No. 29.)

House adjourned at twenty-five minutes
before Five o'clock, till To-morrow,
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 5th February, 1891.

AMERICAN MAIL SERVICE.

Return ordered—

"Showing the number of days, hours, and minutes occupied by the passages, both outward and inward, during the year 1890, of each of the steamships carrying Her Majesty's Mails between Queenstown and New York, and also between Southampton and New York; the Return to specify the names of the steamers, and to indicate by asterisks or otherwise those not carrying the Mails under contract."—(*Mr. Leng.*)

POST OFFICES IN LICENSED PREMISES (SCOTLAND).

Return ordered—

"For Scotland, by Counties and Burghs, of Post Offices carried on in Premises licensed for the sale of Intoxicating Liquors."—(*Mr. John Wilson (Lanark).*)

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

QUESTIONS.

DISCHARGED AND RESERVED SOLDIERS.

Major RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether he will favourably consider an increase in the grant to the National Association for the Employment of Discharged and Reserved Soldiers, taking into consideration the fact that the Inspector General of Recruiting attributes the falling off in recruits to the want of employment for old soldiers, and that this is the only institution in the country which provides employment for Reserve and discharged men?

*The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): I am sorry to say that I must ask the hon. Gentleman to put the question at a somewhat later date. I am in communication with the Treasury on the subject, and if he will give me another fortnight I shall be able to give him an answer.

TECHNICAL EDUCATION.

Sir RICHARD PAGET (Somerset, Wells): I beg to ask the Chancellor of the Exchequer whether, in order to enable County Councils to frame definite schemes of a permanent character for the provision of technical education in their respective counties, he will be good enough to state if County Councils are justified in acting on the assumption that they may reckon with certainty on receiving in future years the like sums, to be appropriated under the like conditions, as that set forth in Section 7 of "The Customs and Inland Revenue Act, 1890," and Section 1 of "The Local Taxation (Customs and Excise) Act, 1890?"

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): My hon. Friend will perhaps allow me to refer him to the answer I gave in this connection to my noble Friend the Member for the Rossendale Division on the 4th of December last. I should not feel authorised to make any definite announcement till I make my Budget speech.

Mr. HINCKES (Staffordshire, Leek): I beg to ask the Vice President of the Council whether a Local Authority may supply technical instruction to scholars still receiving instruction at an elementary school, but who have passed the standards fixed by the bye-laws in force in the district for total exemption from attendance at school?

The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): The Technical Instruction Act forbids the grant of aid by the Local Authority for the instruction of scholars in any of the obligatory or standard subjects prescribed by the Education Department, and not merely in the standards fixed by the bye-laws of the district for exemption from attendance at school.

Mr. HOBHOUSE (Somerset, E.): I beg to ask the President of the Local Government Board if, and how, the sums paid into the various county funds under "The Local Taxation Act, 1890," and available for technical education, will be distinguished from the sums paid out of the Exchequer into the same funds under "The Local Government Act, 1888," and when the first-mentioned sums are likely to be paid?

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): The Local Government Board, in making payments to the Councils of counties and county boroughs, have distinguished the sums derived from Beer and Spirit Duties from those in respect of Probate and Licence Duties. The authorities have, therefore, the necessary information as to the amounts received by them, which are available for technical education. Up to the present time, the sums thus available, which have been paid to the authorities, is £242,761. As soon as the necessary adjustments have been made by the Local Government Act Commissioners in the case of counties which include county boroughs, further payments will be made.

GOLD AND SILVER MINES IN WALES.

Mr. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Chancellor of the Exchequer what number of Crown leases and licences have been granted to persons to work for gold and silver in private lands and Crown lands in Wales since the year 1885; how many of the lessees or licencees have proceeded to develop their mines to such an extent as to produce gold and pay royalties, and how many have paid Crown royalties; what is the aggregate amount of Crown royalty paid on gold and silver obtained in Wales since 1885, and by whom was it paid; what is the value of the silver acknowledged to have been obtained from the mines of Great Britain since the year 1875, and what amount of royalty has been paid to the Crown upon such production; does the same prerogative apply to silver as to gold; is it a fact (as sworn to in the Court Chancery lately by the Receiver of Crown royalties) that the amount received by the State by way of royalty on gold, during a period of 22 years preceding the year 1886, was in the aggregate £17 2s. 2d., or an average of 11s. 9d. per annum; does the Crown claim not only to be entitled to the gold and silver in private land, but to grant licences to work the mines in such land, and to erect machinery on such lands, and to divert and utilise the water running through such lands for mining purposes, and if it claims the right to erect machinery, and utilise such water, by what right are such claims made; and will the Government consider the advisability of reducing the royalties as suggested by those interested in mining, for gold and silver in Wales, either to such a share of the profits as will not be prejudicial to them, and prohibitive of the industry, or, failing that, to 1 per cent. of the gross product of the gold obtained in private lands, and 2 per cent. of gross product on gold obtained from Crown lands, as also suggested by those interested in the industry, and thus allow the mines to be worked for the mutual advantage of the mine owners and the State?

Mr. GOSCHEN: The number of Crown leases and licences granted to persons to work for gold and silver in private lands and Crown lands in Wales since 1885 is 447. Crown royalties have been paid in respect of five of these, and the aggregate amount of Crown royalty paid in these cases has been £1,578. The value of the silver obtained from the mines of Great Britain since 1875 amounts to £1,155,000 in round figures. But it is impossible to state the exact amount of the royalty received, as the Crown has not found it expedient to insist on pre-emption of the lead ore containing silver obtained from lead mines belonging to the subject. The same prerogative applies to silver as to gold. The hon. Member is in error in supposing either that it was a fact or that it was sworn to by the Receiver of Crown royalties that the amount received by the State as royalty on gold between 1864 and 1886 was only £18. The Receiver's statement had reference to one mine only, and the total amount received in the period has been £2,150. As regards the seventh question, the Crown not only claims mines Royal of gold and silver, but also the necessary easements for working them. Certain proposals have been made for reducing the royalties in the Morgan mine, but these proposals will be best understood from the correspondence between the hon. Member and the Woods and Forests, which I am prepared to lay on the Table if the hon. Member will move for it; but I may say generally that the Government are not prepared to reduce the royalties, the proceeds of which go into the pockets of the taxpayer, if the reduction of the licence should simply enable its holder to sell his rights at a higher price to a mining company.

ALLEGED PERJURY.

Mr. KEAY (Elgin and Nairn): I beg to ask the Lord Advocate whether his attention has been called to an alleged case of perjury said to have been committed on the 6th June, 1890, before George Gordon, land surveyor, Elgin, when acting as referee under the Agricultural Holdings (Scotland) Act, under a minute of reference between Robert Mackessack of Ardgye and Roseisle, and John Knight, sometime farmer at Bruntland; whether he has seen a Memorandum, lodged by John Knight, in the hands of the Procurator Fiscal of Elginshire, in which he charges two tenants of Mr. Mackessack with having given false evidence against him, and in which he gave the names of four witnesses besides himself who could disprove the said evidence; was John Knight allowed any opportunity to produce these witnesses; and has the Procurator Fiscal refused to take proceedings; and, if so, upon what grounds?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The case referred to in the question was reported in the usual way to Crown Counsel, who decided that there was no cause to justify a charge of wilful perjury being brought against the two tenants of Mr. Mackessack. I have also seen the Memorandum referred to, along with the statements of the four witnesses named in it, and entirely concur in the decision arrived at.

PLYMOUTH AND DEVONPORT DOCKYARDS.

MR. FENWICK (Northumberland, Wansbeck): I had intended to ask the First Lord of the Admiralty whether the wages of the carpenters employed in Her Majesty's Dockyards at Plymouth and Devonport, in the Department of the Director of Works, have been reduced; if so, to what extent; and whether he can state what are the wages paid to carpenters in the Chief Constructor's Department, and the hours of labour as compared with the wages and hours of those employed in the Department of the Director of Works? At the request of the noble Lord, I beg to postpone the question until to morrow.

THE BISHOP OF EXETER AND THE REV. H. MARRIOTT.

MR. FURNESS (Hartlepool): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the correspondence in the *Western Morning News*, of 24th January, and other publications, between the Bishop of Exeter and the Rev. Herbert Marriott, from which correspondence it appears that, in consequence of the Rev. Herbert Marriott having attended a Baptist chapel, the Bishop of Exeter has peremptorily withdrawn from the reverend gentleman his licence; whether he is aware that the action of the Bishop in thus suspending a clergyman for attending a Nonconformist chapel has given rise to grave dissatisfaction in the country; and whether the Government intend to do anything in the matter?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have been supplied with a copy of the newspaper containing the correspondence, from which it appears that the Bishop of Exeter requested Mr. Marriott to resign his licence as public preacher in the diocese on the ground that he was in the constant habit of attending a Baptist chapel and taking part in the services. I have no means of knowing whether dissatisfaction has arisen in consequence of the course which the Bishop, in the exercise of his discretion, has thought it right to pursue. The matter is quite outside the jurisdiction of the Home Office, and I have no authority to interfere.

ARDCHATTAN AND MUCKAIRN SCHOOL BOARD.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether it is the case, as stated by the School Board of Ardchattan and Muckairn, that they were compelled by the Scotch Education Department to erect the present Board school on a site between Kennacraig and Bonawe Quarries instead of at Kennacraig, which the School Board considered the more suitable site for the wants of the district generally; whether the Board school was built to accommodate, and is sufficient to accommodate, all children of school age in the district; whether the fact that the Department had informed those who had urged a site nearer the quarries that the Department would be prepared to take into consideration any claim for recognition which might be made on behalf of a voluntary school in such a position had been communicated to the School Board before the Board school was erected; and whether he is aware that the Episcopal school is only 600 yards distant from the Board school?

*MR. J. P. B. ROBERTSON: When the proposal to erect a new public school was before the Department, strong representations were made against the proposed site at Kennacraig, as being distant from the centre of population at the Bonawe Quarries. The views of both sides were carefully considered by the Education Department as constituted in 1883, and finally with some hesitation the Department sanctioned, as a compromise, a site between the other two. The Ardchattan Public School contains accommodation for 50, and this would not, if the representations made to the Department as to the number on the registers of both schools are correct, be sufficient to accommodate all the children in the district. It was intimated to the objectors in 1883 that, although my Lords were unable to refuse sanction to the compromise, a proposal for a voluntary school would receive consideration. This intimation was conveyed, not to the School Board, but to those who were then urging the necessity of further accommodation at the quarries, namely, the lessees of Bonawe Quarries on behalf of their *employés*. I have no reason to doubt that the facts as to the distance between the two schools are as stated by the hon. Member.

FACTORY AND WORKSHOP ACT.

MR. RANDELL (Glamorgan, Gower): I beg to ask the Secretary of State for the Home Department whether he will consider the advisability of issuing an abridged version of the present lengthy and complicated Abstract of "The Factory and Workshop Act, 1878;" and of furnishing to occupiers of factories and workshops in the Principality a Welsh translation of the same?

MR. MATTHEWS: I am disposed to concur with the suggestion of the hon. Member that a shorter abstract of the Acts, and possibly a Welsh translation, may be advisable. The present moment would not, however, be opportune, as a Bill for amending the existing Acts will shortly be presented to the House. I will not lose sight of the matter.

BORSTAL PRISON, KENT.

MR. EDWARD KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Secretary of State for the Home Department whether he is aware that a Petition was addressed to the Prison Commissioners by the Prison Warders of Borstal, Kent, having regard to pay, pensions, and hours of duty; and, if so, why no notice was taken of their Petition?

MR. MATTHEWS: Yes, Sir; such a Petition has been received. I have recently appointed a Departmental Committee to inquire into this and other similar representations that have reached me from subordinate officers of the Prison Service, and I shall be assisted in the reply, which in due course will be made to them, by the conclusions at which the Committee may arrive.

CIVIL SERVICE WRITERS.

MR. TUITE (Westmeath, N.): I beg to ask the Secretary to the Treasury whether, with reference to his observations on the 12th of last August on the discussion of the Civil Service Estimates, it was contemplated to request the heads of Departments to recommend for promotion writers of long service, engaged upon superior work to copying, to the new established class which was being created in a few offices under the name of statistical abstractors?

MR. JACKSON: It is clearly not the office of the Treasury to request heads of Departments to recommend copyists for appointment to an intermediate class below the Second Division. Clause 29 of the Treasury Minute of the 10th of August, 1889, should, it appears to me, be a sufficient guide to any head of a Department wishing to make such a recommendation. I may, perhaps, add that it is obvious that statistical abstractors can only be employed in offices where there is work corresponding to the title.

SECOND DIVISION CLERKS.

MR. TUITE: I beg to ask the Secretary to the Treasury whether, having regard to the fact that the Order in Council of 21st March, 1890, was devised to secure uniform conditions of service for all Second Division Clerks, the head of a Department has power to issue regulations setting aside any of the provisions of that Order?

MR. JACKSON: No, Sir; the head of a Department has no power, as far as I am aware, to vary any of the provisions of the Order in Council of the 21st March, 1890, relating to the Second Division.

MR. TUITE: I beg to ask the right hon. Gentleman whether it is intended that all those Civil Service writers now in the Service, who were recommended by the heads of their Departments for promotion to the Second Division, and not promoted, will form the nucleus of the new class of clerks for which an open competitive examination is to be held on the 17th March?

MR. JACKSON: The question of the hon. Member appears to have been suggested by a notice for a competitive examination for the situation of abstractor, which was given in the *London Gazette* of the 30th January. As the hon. Member will have seen, that notice was withdrawn by an advertisement in the *Gazette* of the 3rd instant.

POSTAL DELIVERY NEAR SHEFFIELD.

Sir FREDERICK MAPPIN (York, W.R., Hallamshire): I beg to ask the Postmaster General whether he can furnish to the House any instance (other than that of Bradfield, near Sheffield) where a district situated six or seven miles from a town with more than 300,000 inhabitants is restricted to a postal delivery only on three days per week; whether it is laid down as a principle in the Post Office that a daily delivery is never extended to any district where the revenue does not exceed the cost of distribution; whether any district in which there is an excess of expenditure over receipts enjoys a more frequent delivery than three days a week; and whether he will consider if the small cost involved may be incurred, in order to give better postal facilities to Bradfield?

*Mr. RAIKES: I am unable to say whether there exists a precisely similar case to that mentioned by the hon. Member. It is laid down as a principle that the cost of a delivery must be covered by the revenue from the letters delivered, but no doubt there are deliveries in existence which have ceased to be remunerative. I can scarcely regard as relatively small the expense involved in improving the delivery in question, the cost of which is already 87 per cent. in excess of the revenue, and that cost would be doubled if the delivery were increased in frequency from three to six days a week.

INSPECTOR OF WEIGHTS AND MEASURES.

Mr. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate whether it is lawful for an Inspector of Weights and Measures to stamp the beam only without the scales being attached or adjusted to the beam; is it necessary for a merchant before selling a beam to have it stamped and adjusted by a Public Inspector; and is it probable that the use of swan-necked beams will be continued in the future, say next year?

Mr. Jackson

*Mr. J. P. B. ROBERTSON: I am informed that in cases where the model regulations of the Board of Trade under the provisions of the Weights and Measures Act have been adopted by the Local Authority it is not allowable for an Inspector of Weights and Measures to stamp the beam only, without the scales being attached or adjusted to the beam. It is unnecessary for a merchant before selling a beam to have it stamped and adjusted by a Public Inspector; and in regard to the last part of the question the Board of Trade, as at present advised, do not propose to make any additional regulations dealing with the use of swan-necked beams.

CUSTOMS OUT-DOOR DEPARTMENT.

Sir JOHN COLOMB (Tower Hamlets, Bow): I beg to ask the Chancellor of the Exchequer whether the inquiry by him into the Customs Out-Door Department is concluded; and, if so, whether he can state how soon the decisions arrived at are likely to be made known?

Mr. GOSCHEN: Yes, Sir. I have practically concluded the inquiry, and I am now engaged upon a Minute dealing with its results, which I hope to issue before long. I may say that the inquiry has been very protracted, owing to my desire to examine thoroughly the very numerous and difficult questions connected with the complicated organisation of a large service dispersed throughout the United Kingdom, and presenting many local differences of remuneration and conditions of work.

SAVINGS BANK DEPARTMENT CLERKS.

Earl COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General to what extent he has availed himself of the assurances of the recently suspended clerks of the Savings Bank Department with regard to voluntary extra duty in excess of the nine hours' compulsory duty; whether such assurances have enabled him to withdraw the Order compelling the staff to do two compulsory hours' overtime daily beyond the hours laid down by the Order in Council of 21st March, 1891; if not, how long will it be necessary to continue that Order; and whether there is any limit to the number of hours' overtime which the male staff of the Savings

Bank Department can be ordered to perform?

*MR. RAIKES: I have limited the total amount of extra duty for clerks of the male staff in the Savings Bank, including those who were recently suspended, to three hours a day. I am unable at present to say how long the arrears caused by the insubordinate action of the clerks, referred to by the noble Earl, will render it necessary to maintain the Order for two hours daily extra duty; but I shall be glad to rescind it as soon as I am in a position to do so. Overtime is not limited by any regulation of the Department. The requirements of the Public Service must be provided for, subject, of course, to a reasonable consideration of the capabilities of those engaged in its performance.

*EARL COMPTON: Do the three hours of work they do extra include the two compulsory hours laid down by the Order which the Savings Bank clerks objected to?

*MR. RAIKES: Certainly, Sir.

FOREIGN OFFICE AND DIPLOMATIC SERVICE.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the intention of Her Majesty's Government to take steps to carry out the recommendations contained in the recent Report of the Royal Commission of Civil Establishments, by which various changes in the organisation of the Foreign Office and Diplomatic Service have been suggested; and, if so, when a statement as to the changes intended to be made will be given to Parliament?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Portions of the recommendations of the Commission have already been carried out. Others are under consideration. Full information will be given to Parliament whenever required.

RAILWAY RATES.

MR. TOMLINSON (Preston): I beg to ask the Attorney General whether he is aware that many County Councils and Municipal Corporations and other Local Bodies, coming under the definition of "governing bodies" in Section 1 of "The Municipal Corporations (Borough Funds) Act, 1872," are desirous of exercising the powers conferred on them by "The Municipal Corporations (Borough Funds) Act, 1872," and by "The Local Government Act, 1888," by appearing as petitioners, or contributing to the cost of an appearance, to oppose "as in the case of a Private Bill," the Bill to confirm the Provisional Order about to be made by the Board of Trade under Section 24, Sub-section 8, of "The Railway and Canal Traffic Act, 1888," when referred to a Select Committee or Joint Committee of the two Houses of Parliament; whether he is aware that it is considered a matter of great importance by large bodies of traders and others that such bodies should be enabled to appear, or join in the costs of an appearance, before such Committee; whether it has come to his knowledge that doubts have been entertained as to whether, in consequence of the fact that the Act confirming such Provisional Order is by Sub-section 10 of Section 25 of the Railway and Canal Traffic Act defined to be a Public Act, such Governing Bodies and other Local Authorities are entitled to expend any money in or about such appearance; whether he would recommend that such doubts should be cleared up by passing a declaratory Bill; and whether he will be prepared, on behalf of Her Majesty's Government, to introduce and press forward a Bill for the purpose of remedying the defect, if any, in the wording of the Railway and Canal Traffic Act?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): As far as I can understand, there is no doubt as to the right. If any persons think there is a doubt, those persons should bring in a Bill on the subject. It is scarcely a matter for the Government.

MAIL SERVICE BETWEEN ENGLAND, SCOTLAND, AND IRELAND.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the Secretary to the Treasury whether he can now make any statement with regard to the numerous Memorials received from, and resolutions passed, at public meetings in the North East of Ireland, and lately presented to the Treasury, in favour of the establishment of an accelerated Mail Service between England, Scotland, and the

North of Ireland *vià* Larne and Stranraer?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am afraid that the Treasury cannot make any statement with regard to the numerous Memorials and resolutions forwarded by my hon. Friend in favour of the Larne and Stranraer Mail Service until we have received, and have had time to consider, the full Report on the subject which my right hon. Friend the Postmaster General has in preparation.

MR. SEXTON (Belfast, W.): As this question has been pending since June last, may I ask whether the Postmaster General has yet fulfilled his promise to make a proposal to Derry?

*MR. RAIKES: I hope to be able to make a proposal next week.

TENANTS' HOLDINGS IN IRELAND.

*MR. KNOX (Cavan, W.): I beg to ask the Attorney General for Ireland if he would state how many holdings were, during the financial year ended 31st March, 1890, sold by the Irish Land Commission, subject to charges made for advances, for the sum of £306 0s. 4d., entered in the accounts of the Commission as received from that source; and what was the total purchase-money paid to the landlords for the holdings so sold?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Land Commissioners report that the number of the holdings referred to in the question is four—one being the case of an advance under the Land Law (Ireland) Act, 1881, and three under the Purchase of Land Act, 1885. The original advances to the tenants in these four cases amounted to £5,365. The re-sales were subject to the annuities charged in repayment of these advances. No loss whatever has accrued to the State in respect to these cases, nor in respect of any other under the Purchase of Land Act, 1885.

FAIR RENT APPEALS.

MR. KNOX: I beg to ask the Attorney General for Ireland whether he is aware that the number of appeals lodged *re* fair rent to the Chief Land Commission during the year ending August, 1890, exceeded the appeals disposed of by 400; whether he is aware that the total number decided during November last was 106, and that at this rate it would take rather more than six years to dispose of the appeals now pending, without taking into account appeals which may hereafter be lodged; and whether he will consider the expediency of inserting provisions in the Land Department Bill to prevent any further business being assigned to the Land Commissioners under the Act of 1881 until they have disposed of the arrears of the work they are now engaged upon?

*MR. MADDEN: During the year ending August 21, 1890, 4,289 appeals were disposed of by the Chief Land Commission, as against 2,781 appeals lodged. The total number of appeals disposed of in November last was 283, and, as the total number of appeals lodged during the month in question was but 20, it is not anticipated that it would take anything like six years to dispose of the number of cases unheard, which on the 21st of August amounted to 6,412. At the same time, the Government will carefully consider any reasonable suggestion which may be offered for more rapidly disposing of appeals in respect of judicial rents.

GLENGELVIN AND DOWRA POST OFFICES.

MR. KNOX: I beg to ask the Postmaster General whether he will connect the post offices of Glengelvin and Dowra, in the County Cavan, with the post office at Blacklion, in order to save the time and money now lost by sending the letters by a circuitous and inconvenient route?

*MR. RAIKES: I have instituted an inquiry into the subject to which the hon. Member refers, and I will acquaint him with the result as soon as possible. But, from the nature of the arrangement suggested, some little time must elapse before the inquiry can be completed.

DESTITUTION IN THE KANTURK UNION.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether, having regard to the destitution prevailing over a great portion of the Kanturk Union (County Cork), and the scarcity of employment in the district, the Irish Government will take steps to suspend temporarily the Gregory or Quarter-Acre Clause, which prevents the Board of Guardians from giving outdoor relief to destitute persons, whether labourers or small occupiers, who hold more than a quarter-acre of land?

*MR. MADDEN: The condition of Kanturk Union has been the subject of recent inquiries. As the result of these inquiries, the Government have no reason to suppose that there is any exceptional distress which cannot be dealt with under the existing Poor Law, and they do not propose to introduce legislation in the direction suggested in the question.

IMPRISONMENT OF MR. LONG.

MR. FLYNN: I beg to ask the Attorney General for Ireland what (if any) are the circumstances calculated to interfere with the prison discipline at Clonmel Gaol in the case of John Long, editor of the *Nationalist* newspaper; and is Mr. Long, as a bail prisoner, afforded any facilities in Kilkenny Gaol for receiving visits from relatives or friends?

*MR. MADDEN: The transfer was made in pursuance of the general practice explained in my answer to the previous question on this subject put by the hon. Member on the 2nd instant, and to which I have nothing to add. The General Prisons Board report that bail prisoners in Kilkenny Prison are afforded like facilities as in any other prison in Ireland to receive visits from their friends in accordance with Prison Rules.

MR. CHANCE (Kilkenny, S.): I beg to ask the right hon. and learned Gentleman whether he is aware that Mr. Long is confined to his cell for 22 hours each day; and, if so, under what regulation this is done; and that he is also prevented from writing or receiving any communication referring to his journalistic business, although at his trial the prosecuting solicitor called upon the Magistrates to take a note of his admission of responsibility for the management of his newspaper, the *Nationalist;* and whether he can see his way to recommend any modification of this treatment?

*MR. MADDEN: The General Prisons Board report that this prisoner gets the usual two hours' exercise per day allowed to prisoners of his class under 7 George IV., Cap. 74, Section 109, Subsection 9, further relaxation not being considered necessary on medical grounds. The prisoner is imprisoned in respect of intimidation contained in publications in his newspaper. When at Clonmel Prison the Governor appears to have informed him that no communications of an improper character would be permitted to go in or out of the prison. Since then the Board have not had any application from the prisoner for permission to edit his newspaper.

MR. CHANCE: Am I to understand that Mr. Long is prevented from receiving and replying to communications in reference to his journalistic work?

*MR. MADDEN: No, Sir; certainly not.

MR. CHANCE: Has not the Chief Secretary the power of modifying the treatment to which Mr. Long has been subjected?

*MR. MADDEN: No, Sir.

FAILURE OF THE POTATO CROP.

MR. O'HANLON (Cavan, E.): I beg to ask the Attorney General for Ireland whether he has seen the resolution passed by the Bawnboy, County Cavan, Board of Guardians, in which they urge the Government, in consequence of the almost total failure of the potato crop in this union, to start public works in this union, and point out to the Government the necessity of extending the Cavan and Leitrim and Roscommon Light Railway from Dromod to Strokestown and Roscommon; and whether he will say is he prepared to carry out the terms of the above resolution?

*MR. MADDEN: The condition of Bawnboy Union is being carefully watched, and also the Poor Law Relief Returns for the Union relief works will, of course, be started should necessity for them arise. The Government have no means at their disposal to enable them to make the railway extension suggested.

MR. O'HANLON: May I ask whether any official Report has been received?

*MR. MADDEN: Yes; and my answer is founded upon it.

THE LAND PURCHASE BILL.

MR. O'HANLON: I beg to ask the Attorney General for Ireland whether he has seen the resolution, passed unanimously at a meeting of the glebe purchasers held at Cormeen, County Cavan, on the 14th January last, requesting the Government to grant glebe purchasers the right of appeal to the Land Commission for the re-valuation of their lands under the new Land Bill, and the revision of their future instalments according to such valuation; to give glebe purchasers the power of obtaining an advance from the Government of one-fourth of the purchase-money of their holdings at 3⅛ per cent.; to pay off the money originally paid down in cash; and to extend the benefit of the 25th section of the Act of 1887 to all glebe purchasers; and whether he will take into account the justice of the above resolution, and provide for the glebe purchasers in the new Land Bill?

*MR. MADDEN: I have seen the resolution referred to in the question. The question of purchasers of glebe lands was dealt with in 1887, and certain relief given, and I am not in a position to hold out any expectation of further legislation on the subject.

IRISH SPECIAL JURORS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Attorney General for Ireland whether it is true that an Order has recently been issued by the Irish Judges, directing in future, whether there be business for special jurors at Assizes or not, that the attendance of 48 special jurors be required?

*MR. MADDEN: I cannot find that any Order has been made by the Irish Judges in reference to summoning of special jurors; but I am informed that the attention of the Sheriffs in one or two counties, where an illegal custom had grown up of not summoning special jurors, has been directed to the requirements of the law, with a view that they should take the necessary steps to have special jurors in attendance at Assizes.

THE WATERFORD MAIL.

MR. WEBB (Waterford, W.): I beg to ask the Postmaster General whether he is aware that late delivery of the English mail in the City of Waterford is now a matter of constant occurrence; and how soon it may be expected that the advantage is likely to be realised of the Dublin Loop Line Railway in securing the earlier and more punctual delivery of said mail in Waterford?

*MR. RAIKES: I am aware that there has been irregularity in the delivery to which the hon. Member refers, but this has arisen from causes beyond control, and I am informed that it is too much to say that the late delivery is a matter of constant occurrence. Every effort is being made to secure punctuality as far as possible. As regards the Loop Line in Dublin, I understand that no working arrangement has yet been come to by the Railway Companies interested, and I am not, therefore, in a position to say what advantage is likely to be realised if it should be decided to make use of the line for the conveyance of mails. I shall continue to give my careful attention to this matter.

DISTRESS IN DUNMORE.

COLONEL NOLAN (Galway N.): I beg to ask the Attorney General for Ireland if his attention has been directed to the distress in Dunmore, County Galway, and to the advisability of employing labour on drainage works in that locality; and what action the Government propose to take in the matter?

*MR. MADDEN: The condition of the people in Dunmore Electoral Division has been receiving attention. The question of opening relief works there is at the present time under consideration.

SOLDIERS' CHILDREN IN KILKENNY.

MR. CHANCE: I beg to ask the Secretary of State for War whether the Military Authorities require the children of soldiers stationed in Kilkenny to attend the military school, and refuse to permit such of them as are Roman Catholics to attend the local schools under Roman Catholic management; and, if so, under what Rule or Statute do the authorities act in the matter?

*MR. E. STANHOPE: By the Regulations the children of soldiers must attend the garrison school, unless specially permitted to attend an efficient civil school for the purpose of obtaining a higher class of education. But on the representation of the parish priest the Rule has been specially relaxed, so as to allow Roman Catholic soldiers at Kilkenny to decide for themselves whether their children shall attend the garrison or the civil school, on condition that their attendance at the latter is regular, and the education given is satisfactory.

MR. CHANCE: Is it since last month that the Order was made?

*MR. E. STANHOPE: No, Sir. I think it was made two or three months ago.

THE LITTLE BROSNA RIVER.

DR. FOX (King's Co., Tullamore): I beg to ask the Secretary to the Treasury, with respect to the scheme of drainage by lowering the bed of the Little Brosna River, adopted by the Board of Works, Ireland, whether the Board subsequently agreed to give power to a Railway Company to alter the course of the river, and to build a bridge across it, with the result that the bed of the river was raised two and a half feet, and the lands above the bridge were flooded; and whether the Board are now pressing the occupiers of the flooded lands for payment of charges for the drainage which was thus neutralised with the consent of the Board?

MR. JACKSON: I am informed that the Little Brosna River was deepened under the Drainage Act in 1852-3. In 1856 the Board of Works furnished to the Great Southern and Western Railway Company the dimensions as to breadth, depth, and height of all bridges on their Ballytrophy and Parsonstown branch, which was planned to cross the Brosna. In this schedule the depth for the bridge at Bunowan was fixed at the full depth of 8½ feet below the level of the land. No complaint was made either as to the depth at the bridge or in the river diversion made by the company near it for 28 years, and no evidence has been produced to the Board of Works that the company did not carry out its obligations. The Board of Works are not pressing the occupiers for any payment, no payment being due to the Board.

THE CRIMES ACT—ARRESTS AT CASTLEREA.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Attorney General for Ireland if he can explain upon what charge, and upon whose authority, 11 women have been arrested in connection with an inquiry held at Castlerea under the Criminal Law and Procedure (Ireland) Act?

MR. MADDEN: An inquiry being proceeding at Castlerea under Section 1 of the Criminal Law and Procedure (Ireland) Act, 1887, the Resident Magistrate holding that inquiry issued, pursuant to the powers given by that Act, and by Section 13 of the Petty Sessions (Ireland) Act, 1851, warrants to compel the attendance of a number of witnesses, including those referred to in the question. These warrants were issued, as there was reason to believe that the attendance of the witnesses could not otherwise be obtained.

MR. SEXTON: What was the sequel of the case?

MR. MADDEN: I must ask the hon. Gentleman to put the question tomorrow.

MR. SEXTON: I will do so, but I think it is strange that the right hon. Gentleman is not able to answer it now.

DESTITUTION AT CLIFDEN.

MR. FOLEY (Galway, Connemara): I beg to ask the Attorney General for Ireland whether he has received a letter from the Very Rev. P. Lynskey, of Clifden, Galway, complaining of the destitute condition of the poor people; and whether he will take immediate steps, by providing relief works or otherwise, to prevent these people being compelled to leave their homes and enter the workhouse?

MR. MADDEN: A letter has been received complaining of the insufficiency of the labour given on the Clifden line, and drawing attention to the distressed condition of Sillerna and other districts. Relief works are in progress at several points in the localities mentioned. But, with regard to Sillerna, the works which were started there had to be suspended in consequence of opposition shown by the people.

DISTRESS IN GWEEDORE.

MR. ARTHUR O'CONNOR: I beg to ask the Attorney General for Ireland whether he is aware that of the 1,000 families in the district of Gweedore 800 are necessarily dependent for food for four months in the year, from May to August, upon meal supplied on credit by merchants and shopkeepers; that, owing to the failure of last year's potato crop, this meal supply on credit commenced in

October last, and has now exhausted the resources of the shopkeepers, who are being compelled to refuse further credit; and that some 5,000 persons are in absolute destitution; whether the Government intend to start any railway works in the neighbourhood; and, if so, when; whether any employment of any kind has yet been started on relief works, such as roadmaking or otherwise; and what steps have been taken to avert starvation within the present month?

Mr. MADDEN: I have called for a Report upon the subject, but have not yet received it.

PURCHASE OF LAND BILL.

Mr. KEAY: I beg to ask the Chancellor of the Exchequer whether, under the Purchase of Land and Congested Districts (Ireland) Bill, the "additional advances" provided for by Clause 6 (3) may continue to be made to the full extent of the capital value of the Sinking Fund after default has been committed by the tenant purchasers, and when the Sinking Fund is consequently being kept up and further increased by payments out of the Consolidated Fund, as provided in Clause 1 (3)?

Mr. GOSCHEN: The hon. Member is putting question after question across the floor of the House, raising issues of policy as well as of fact and of explanation. I have endeavoured to answer them fully and courteously; but I must now suggest to him that a question as to when additional advances should cease to be sanctioned is essentially one for Committee. I may simply remind the hon. Member that it would always be optional, and not compulsory, to the Treasury to sanction additional advances, and I must further point out that the last two lines of his question do not correctly represent the case, in that they suggest that the Sinking Fund is kept up by payments out of the Consolidated Fund, suppressing the fact that the Consolidated Fund is at once recouped by the Guarantee Fund.

*Mr. KEAY: With reference to the right hon. Gentleman's remarks on my questions, does the right hon. Gentleman recollect that I raised these same points on the Amendment to the Second Reading, and got no reply, and that I again attempted to raise them on the main question of the Second Reading, but was closured by the First Lord of the Treasury?

*Mr. SPEAKER: Order, order!

THE RIVER BARROW.

Mr. W. A. MACDONALD (Queen's Co., Ossory): I beg to ask the Attorney General for Ireland whether he has received the copy of a resolution passed by the Mountmellick Board of Guardians, praying the Government to undertake the drainage of the River Barrow, and basing their request on the unhealthy condition of the towns through which the river flows, and the general want of employment among the people; whether he is aware that great poverty exists in Mountmellick and the neighbouring district among persons who are in want of work and cannot obtain it; and whether, in view of the forward state of Government business, he will re-introduce his Bill for the drainage of the Barrow?

Mr. MADDEN: I have not received a copy of the resolution, but will make inquiry.

MOTION.

CASE OF WALTER HARGAN.

ADJOURNMENT OF THE HOUSE.

(4.15.) Mr. JAMES LOWTHER, Member for the Isle of Thanet, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance, namely, "the sentence and reduced sentence upon Walter Hargan;" but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

*Mr. J. LOWTHER: It is unnecessary for me to detain the House at any length in referring to the circumstances under which this case comes to be brought forward. Perhaps it will be in the recollection of hon. Members that before the adjournment for the Christmas holidays a Motion stood on the Paper in my name, to the effect that a humble Address be presented to Her Majesty praying her to grant a free pardon to Walter Hargan, but I postponed that Motion in consequence of an appeal from my right hon. Friend the Leader of the House. I deferred to the wishes of my right hon. Friend, but not until it had been pointed out to me that I could obtain the object I desired in another way, namely, by moving the Adjournment of the House. On that understanding I postponed the Motion. The case is fortunately a very simple one. There is, practically, no dispute as to the facts or any controverted question of law. The prisoner Hargan was a soldier who had served with distinction in the Army, and having got his discharge had gone to America for the purpose of pushing his fortune. Hargan had returned to this country only five days before this unfortunate occurrence took place. In a public house in the Kingsland district he found himself called upon to intervene on behalf of the landlady of the public house, who was being threatened with personal violence by a gang of bad characters who were drinking in the house. Hargan, who had taken no part in the dispute, gallantly came to the rescue of the landlady, and thereby incurred the hostility of the ruffians congregated in the house. During the altercation a revolver which Hargan had in his possession was shown to those present, and it had the momentary effect of quelling the disturbance. The landlord came downstairs and intervened, and the leaders of the disturbance were ejected, and order to a great extent restored. Wishing to avoid being the occasion of any further disturbance, Hargan very properly made his escape by a back window, and made a circuit round the back of the house, but, in order to get to his lodgings, he was obliged to pass the front door of the public house, which he did on the other side of the road. As he passed, attention was called to him, and he was followed by three of the men who had been ejected, who signified their hostility by imprecations and otherwise. Hargan had already shown these men that he was armed, and it was only likely that he should imagine that they would provide themselves with some weapon of offence. Consequently, when they came within a very few yards of him he produced his revolver, and, failing to deter them, he fired with fatal effect as regarded two of the men. The taking of human life by means of weapons of this description is, I own, a matter upon which I myself have a very strong feeling. When first my attention was called to this case, I did not see my way to taking any action upon it, but in cases of this kind some regard must be had to the character of the persons concerned. Upwards of 20 years ago I urged upon Mr. Ward Hunt, who was then Chancellor of the Exchequer, the propriety of imposing a heavy duty upon the carrying of revolvers, and I recently made a similar suggestion to my right hon. Friend the present Chancellor of the Exchequer. What are the facts of the present case? I should like the House to hear what is the relative record of the prisoner and his assailants. Hargan was a soldier of good character, educated at the Hibernian School in Ireland, from the commandant of which institution a character was produced giving the highest possible testimony to his reputation. He was for some years in the 1st Battalion Queen's Royal West Surrey Regiment, in which regiment his father and four brothers had likewise served; he was rapidly promoted to the positions of lance-corporal, corporal, colour-sergeant, and finally acting sergeant-major. His officers give him the highest character. He served in the Burmese campaign, obtaining the medal and clasp. Unfortunately, no witnesses were called to speak to the character of the prisoner, but I think the testimony of the officers has been before the right hon. Gentleman the Home Secretary. [Mr. MATTHEWS was understood to dissent.] The dissent of my right hon. Friend encourages me to hope that I am placing new matter before him which will lead him to review the case. I will, however, only read the character given to Hargan by his Colonel, Colonel Holt. That gentleman writes—

> "I have much pleasure in bearing testimony to the excellent character of Walter Hargan. He served under my command in India, and as commanding officer I have the highest opinion of him as a most trustworthy, good, and brave soldier, and I cannot imagine him capable of injuring any man except in his own defence."

That opinion of the Colonel's was fully endorsed by the Major, the Adjutant, and other officers under whom Hargan served. It was also endorsed by an authority to whom I think my right hon. Friend will be prepared to listen, namely, Mr. Justice Charles. That learned Judge, in summing up, said—

> "The prisoner bore an excellent character hitherto as a steady and well-conducted man, as well as a good soldier."

At the same time, I ought to point out what was the character of the persons by whom Hargan was assailed. I will not weary the House by going through the long category of offences recorded against them. I will again confine myself to the authority of Mr. Justice Charles, who said—

> "Although he did not care to apply hard language to persons who were no more, it would not be going too far to say that the character of the deceased men was about as bad as it could be."

One of these men appears to have gone by the name of "Half-pint Jack." He was in the habit of going to public houses, calling for drinks, refusing to pay for them, and assaulting the persons defrauded. I am perfectly well aware that the good character of the man assailed, and the bad character of his assailants, are no excuse for having recourse to a greater amount of violence than was necessary; but did Hargan use a greater amount of violence than was necessary? He did no more than he was bound to do, unless he was prepared to hand his life over to those who attacked him. I know that those who took the armchair view of the subject say that Hargan ought to have given notice that he was going to shoot, somewhat in the same way that a four weeks' Notice of Motion is given in this House; but I have already stated that he had shown these men that he was armed, and he was justified in thinking that men who knew they were pursuing an armed man had provided themselves with some effective means of dealing with him. Thus, he must have known that if he allowed his assailants to grapple with him at close quarters he would not have much chance. Indeed, they would have found ready at their hands Hargan's own means of defence—the revolver. Who in this House would have acted differently in such circumstances? I, at all events, would have acted in an exactly similar manner, with this unfortunate difference, that I should very probably have missed the men. I undertake to say that if the Secretary of State for War, under these circumstances, should have been walking, with one of his magazine rifles in his hand, he would have availed himself of the opportunity of testing the accuracy of the weapon. It is notorious that this unfortunate man was obeying a law far older than any Statute Law—he was obeying the instinct of self-preservation, which I have always understood to be a law which would override any Statute Law of any civilised nation. But, for a moment, I would ask the attention of the House to the character of the district where this took place. Many people would say, and, in fact, friends of mine have said outside the House, "Why did not this man call for the police, or ask bystanders to assist him?" Well, the Secretary of State will be in a position to confirm what I am now going to say, namely, that the inadequacy of police protection in this district had long been a matter of notoriety. Amongst the documents that my right hon. Friend had recently before him I have no doubt he had his attention drawn to a communication addressed to the Commissioner of Police by a Special Committee, appointed by the Parish and Vestry of St. John's, Hackney, complaining of the inadequate arrangements made for the preservation of order in that neighbourhood. It is notorious in that district, and I defy any one in any part of the House, or out of it, to deny that this is a neighbourhood where a respectable person who had incurred, by any means, the hostility of the roughs, who apparently hold supreme power in that neighbourhood, would have a very poor chance unless he took adequate means for his own protection. Now, this Committee, composed of the Vestry of the parish to which I have referred, drew the attention of the Chief Commissioner of Police to the following state of affairs:—They say, "The numerous cases of highway robbery, burglary, and other crimes that have appeared in the public papers, together with the difficulties in obtaining ready assistance from the police in cases of immediate need, is conclusive proof that, certainly in this parish, we are undermanned." They go on to place before the Chief Commissioner of Police the fact that, whereas, taking the whole of the Metropolis together, the proportion of the police to the population is as 1 to 646; in that particular district it is only 1 to 1,185—that is to say, that the police force is about in proportion, roughly speaking, one-half of what it stands in the Metropolitan area at large. I will not detain the House by referring to other documents, which I might do, in a similar sense. The Debenvoir Park Ratepayers' Association, a body which represents a portion of the same neighbourhood, has also addressed a very strong representation to the Home Office, or rather to the Chief Commissioner of Police. upon this subject. The disturbances which have continually occurred in that neighbourhood, leading to scenes of violence, the right hon. Gentleman will be able to confirm from the official evidence he has at his disposal. He will know that within 24 hours of the melancholy occurrence when these men were killed the landlady of the same public house in which Hargan originally intervened was very seriously wounded by an instrument called a "muller," which I understand is a kettle, and a very formidable, heavy engine. This was thrown at her head by a dastardly person, who was believed to have been a member of the gang with which the deceased men associated. I could mention innumerable cases of assaults which have occurred in this district, but it is enough for me to say this: that the neighbourhood was an extremely disorderly one, and that life and property were in an extremely insecure condition there. There is another essential difference between that and other portions of the Metropolis with which hon. Members in this House are more familiarly acquainted, in so far as the public opinion of the district and of ordinary passers-by is by no means disposed to aid in protecting the life and limbs of attacked persons; but is rather, for the most part, in favour of the organisers of disorder. That is a most important element of consideration in regard to this case. You have here a disorderly district; you have a man who finds himself surrounded by hostile elements; you have an attack made upon him, he is known to be armed, he avails himself of the only means he has for his defence, with the unfortunate result that human life is lost. I can only ask the House, in conclusion, to believe that I am taking up this matter with no desire to obstruct the administration of justice. Throughout the time that I have been in this House I cannot recall to mind having taken up more than two other cases in which remission of sentence was asked for. In one of these cases a free pardon followed the discussion, as I hope it will to-night after my right hon. Friend has had further opportunity, which he has intimated he shall be glad to have, of considering the case I now put before the House. Nor shall I be accused of in any way under-rating the enormous responsibility, and the very trying character of the duties which are cast upon the Home Secretary in connection with this matter. I have had myself to share responsibilities of that kind, and I am fully aware that they are perhaps the most trying duties that any Minister has to discharge. My right hon. Friend, I need hardly say, has my entire sympathy in the great difficulties with which cases of this kind inevitably are surrounded. I trust, however, my right hon. Friend will look once more into this matter, and will consider points which probably have not hitherto been brought before him, and I trust that the result will be that a grievous miscarriage of justice will be redressed.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. James Lowther.*)

*(4.39.) Colonel DAWNAY (York, N.R., Thirsk): I rise to second the Motion. I am one of those who concur with my right hon. Friend that Hargan no more deserves 12 months' imprisonment with hard labour than 20 years' penal servitude, and that the sentence ought to be remitted altogether. In the first place, it must be remembered that Hargan did not voluntarily enter into this fray. He was not in the bar when the attack on the landlady commenced, but gallantly came from a back room to defend her; but it is clear that he had no desire to provoke the roughs, for, finding that his interference was making matters worse, he allowed himself to be smuggled out of the house by the kitchen window. This, on the part of an ex-colour-sergeant of the Royal West Surrey Regiment, is a convincing proof that he did all in his power not to provoke a breach of the

peace. It is said that the men were too drunk to be dangerous; but the fact that they pursued Hargan and caught him up in spite of his efforts to get away shows that they were quite sober enough to commit a murderous outrage. And it must be remembered that most of the evidence given against Hargan was most unreliable, being mainly that of witnesses who were friends of the men who were shot, while the landlady, who was the principal witness for Hargan, was so broken in body and mind by the brutal assaults upon her, and so terror-stricken that her evidence was almost worthless. Grave injustice has been done to Hargan by a letter of Lord Bramwell's which appeared in the *Times* of December 26, in which he said that "Hargan, without any warning and when the men were almost touching him, fired in their faces." But against this one of the hostile witnesses swore that Hargan did give warning before he fired, and Hargan's own account was that he only fired after seeing the glitter of what he thought was a knife. However, the fact remains that it was only when the men were close to him, and he was in fear of his life, that he fired. Lord Bramwell appears to think that it is a point against Hargan that he did not fire till the men were close on him, but that rather shows that he waited as long as he could before defending himself. These men were not ordinary ruffians, but ruffians of a most desperate description. They had previously threatened the life of the landlady of the public house where the disturbance commenced; they were described by Mr. Justice Charles himself as men of the worst possible character; and the fact of their waiting for and following Hargan outside the public house shows that they had a deliberate and deadly intention. Hargan had to decide in one moment whether he would submit to be murderously assaulted and most likely murdered, or whether he would defend himself, and it was because he chose the latter alternative that Mr. Justice Charles, after summing up dead for "wilful murder," and failing to carry the jury with him, sentenced him to 20 years' penal servitude. Lord Bramwell described Mr. Justice Charles as a kind and considerate Judge when he sent Hargan to 20 years' penal servitude. If this be an example of Mr. Justice Charles' kindness and consideration, Heaven help the prisoner who was brought before him when in one of his sterner moods! It is said that Hargan ought not to have carried a revolver. Perhaps not. I do not think it is illegal to do so, but I quite admit that it ought to be; however, so long as the Police Authorities fail to provide adequate protection in these dangerous neighbourhoods it is not astonishing to find people taking measures themselves for their defence. The Coroner's jury were only induced to return the verdict they did by the intervention of the Coroner. Of the Grand Jury, 13 to 10 only were in favour of finding a true bill; and of the petty jury, four jurors were originally in favour of an acquittal; and I believe that since the trial the other jurymen have stated that if they had known what the verdict would have been they would have been in favour of an acquittal. Hargan fell amongst the Philistines, and had nothing to trust to except his own right hand. The case ought not to be judged from the West End point of view—for you see plenty of policemen in the fashionable quarters—but it should be considered from the Kingsland Road point of view. At the West End serious breaches of the peace are comparatively rare; but in the Kingsland Road brutal, unprovoked attacks are looked upon as common occurrences. Hargan was the last man to give way to unreasoning panic, for he had looked death in the face in his military career, and that he had risen from the ranks to the position of colour-sergeant and acting sergeant-major proved that he was a good soldier. Only a few weeks ago in Dublin a man was convicted of throwing vitriol over a girl, thereby destroying her sight and every feature in her face, and dooming her to life-long misery, and yet the sentence in that case was only seven years' penal servitude. What, I ask, is Hargan's guilt in comparison with that of this scoundrel? By remitting 95 per cent. of the terrible sentence passed on Hargan the Home Secretary has shown that his opinion and that of the supporters of the present Motion are almost identical with regard to the injustice of the sentence. We ask the right hon. Gentleman to go a little further. We ask him not to condemn a man who has served his Queen and country faithfully and well; not to allow his life to be blasted and his character to be ruined; not to condemn him to bear the brand of a convicted felon for an act of self-defence which most people consider justifiable, and which even at the worst has already been punished far more heavily than it deserves.

*(4.47.) MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): I hope the House will pause before it takes upon itself the function of criticising the judiciary and the conduct of the Executive in these cases. The course which we are asked to take would constitute a most dangerous precedent. I cannot agree that there are no facts in dispute in this case. The main fact in dispute is as to the amount of provocation that was given. And as to that, there is no doubt very considerable difference of opinion, as some seem to say that Hargan was fully justified in the shooting, whilst others consider that he was guilty of wilful murder. For myself, I cannot but think that the case is one of those that point out the need for a Court of Criminal Appeal, and I cannot but think that the Home Secretary would have been glad to be relieved from this duty, and to have the assistance of another Court, which would have had the advantage of seeing the demeanour of the witnesses. But while I consider that the tribunal of the Home Secretary is a necessary one, even where there is a Court of Appeal, it is an imperfect one, because it works, and must necessarily work, secretly, and because those who criticise it can have had no opportunity of seeing the facts on which it has acted. Notwithstanding that, I cannot but remember that the Home Secretary has the advantage of trained assistants in sifting the evidence brought before him, and has not only *ex parte* statements of one side, but the evidence on both sides, as well as the assistance of the Judge. Notwithstanding the fact that the Home Secretary probably thinks the sentence was excessive—and I entirely agree with him that the original sentence was excessive—I cannot allow the language used respecting the learned Judge to pass unnoticed, having myself had his personal acquaintance for so many years, and believing as I do that no more humane man sits at this moment on the judgment seat, whether or not in this particular instance he was betrayed into an excessive sentence. The last speaker said that 10 out of the 13 Grand Jurymen were in favour of throwing out the bill. I ask him, what bill? The bill the Grand Jury found true was a bill for murder. I do not believe any portion of the Grand Jury was in favour of throwing out the bill for manslaughter, which was all this man was punished for. I look with extreme suspicion upon the secrets of the jury box being thus brought before the House of Commons. I may be asked, is the House never to interfere in reference to the conduct of an Executive Officer? Of course it has such a right, but I say it has no right to interfere, and ought not to interfere, unless we are prepared to dismiss the Executive Officer, who has, in the exercise of his discretion, done the best he could. Some Members of the House may be prepared to take that extreme course. If so, I entirely disagree with them. The exercise of the prerogative of mercy is the most difficult and anxious duty any Executive Officer has to fulfil, and my right hon. Friend has before this withstood the bullyings of the Press, and in the end has turned out to be perfectly right. I believe, myself, that as he was right then so he is right now. I give Hargan credit for all that has been said with regard to his good character; but I hope this House will never try in this extreme way to justify the deliberate shooting of two men at close quarters with a revolver, and the bringing into our Institutions of that which is the great blot of American Institutions. My right hon. Friend has said that he believes that if he had been in the same position as Hargan, he would have acted in the same way. I remember the story of a Sheriff of Kent, who was entertaining the Judge of Assizes, telling the Judge how he had driven a man out of his house like a ferret and shot at him. The Judge thanked the Sheriff for his hospitality, and said, "If you had killed that man, I am afraid you would have been in very great danger of being hung." With all respect for my right hon. Friend, I am afraid that if he had acted in the same way as Hargan under similar circumstances he would have incurred something like the same danger. We have heard a great deal about this "band of ruffians,"

and a great deal of pity has been expressed for the man who is now undergoing a sentence of imprisonment. I cannot but think that some, at least, of that pity might have been bestowed upon the two men who, without a moment's warning, met their doom at the hands of Hargan.

*(4.56.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Although I cannot go to the length to which my hon. Friend who has just sat down is prepared to go in barring the way to Motions of this kind, I cannot but think that the present circumstances prove the great inconvenience in cases such as this of the course which has been taken. This is a case in which a minute examination of the evidence is necessary in order that a right conclusion may be arrived at. There have been four inquiries—an inquiry before the Coroner, when the jury found a verdict of murder; an examination before the Police Magistrate, an experienced, learned, and kindly man, who committed Hargan for murder; an inquiry before the Grand Jury, as to which we have heard I know not what gossip to-day; and the inquiry before the petty jury, and as learned, conscientious, and kindly a Judge as any that sits on the English Bench. Against the prisoner, who was defended by a most able and skilled counsel, this jury returned a verdict of manslaughter. Now the House of Commons is asked, upon hasty and imperfect statements, and upon documents which are not before the jury and have not come before myself, for my right hon. Friend had not had the courtesy to submit his materials to me——

*MR. J. LOWTHER: I was told that the documents had been laid before the right hon. Gentleman.

*MR. MATTHEWS: All I can say is, that the particular documents which have been read to-day have not previously come before me. It is an inconvenient course to take to ask the House of Commons, after these four inquiries, to overrule the result upon *ex parte* statements. I propose to point out some of the misleading statements that have fallen from the Proposer and Seconder of the Resolution. In the first place, it has been said that the two unhappy men who met their death at Hargan's hands were ruffians of the worst type, men in whose presence it was hardly safe to be. The real truth, as far as I have been able to ascertain, is that these men were public house loafers, who did bear a bad character, and deserved to bear it, but whose misdeeds were for the most part of a trivial, insignificant kind, and certainly were not worthy of the strong language used by my right hon. Friend. Now, against Lambert, one of the two men shot, there were eight convictions; but all these were of a trivial character except one, which was a case of assault, occurring 20 years ago. For this offence he received six months' imprisonment, and therefore I apprehend the assault was of a rather serious character; two of the other convictions were for being drunk, and being drunk in charge of a horse and cart; the rest were trivial, and the last was committed as far back as 1886. Lambert, no doubt, was disreputable enough; he was a public house loafer; but to describe him as a ruffian against whom the use of a deadly weapon was necessary is an exaggeration against which I must protest.

*COLONEL DAWNAY: The Judge himself said the men were of the worst possible character.

*MR. MATTHEWS: Yes, and I dare say the prisoner had the benefit of that statement. But when we find the Mover and Seconder of the Motion amplifying the words of the Judge by describing the men as ruffians of the worst type, and as men whom it was justifiable to shoot at, I say that that becomes an exaggeration. Wheeler, the other man who was shot, had only two convictions recorded against him, the last of which was in 1881, just 10 years ago, for breaking a public house window. That is hardly a record which makes it right or fitting to help out an argument in this House by blackening the character of this man. With regard to the neighbourhood itself, my right hon. Friend has represented that Hertford Road is a place where police protection does not exist——

*MR. J. LOWTHER: I said it was inadequate.

*MR. MATTHEWS: And not only that, but he also implied that it was necessary to go there armed, and that to use weapons upon such provocation as

Hargan received was justifiable homicide. These appear to me to be assertions more suited to the atmosphere of a South American bar than to any district of London. I have taken pains to inquire as to what the condition of this district is, and from the Report I have received I find that it is by do means so bad as has been represented. It is anything but a specially criminal district. It is rough, no doubt, but nothing more, and it has never been thought necessary to employ extra police there, or to take extra precautions such as are taken in certain parts of London. It is not nearly so bad as some parts of Whitechapel, and is not worse than Islington. Therefore the crime is not justifiable from the nature of the district. The hon. Member who seconded the Motion stated that attacks in this neighbourhood were so common that most of them were not worth mentioning.

*Colonel DAWNAY: The landlady of the hotel was attacked three times in one month.

*Mr. MATTHEWS: With regard to the landlady, some of the assaults followed these particular events. The information I have received is that there was a strong feeling against the woman after the trial, and that this led to a stone being thrown at her by one of the witnesses who was examined at the trial, and to other assaults which took place in her house. But to say that there was a strong local feeling, such as has been referred to by my hon. Friends, really seems to me to be an exaggeration. I trust there is no part of London so bad, so disorderly, and so riotous that there should be an exceptional licence for the use of firearms in that part such as does not exist in any other portion of the Metropolis, nor such as to justify anything which the law does not justify anywhere else. I have very little to add to the statement of the facts given by my right hon. Friend, but I have some corrections to make. I believe that Hargan behaved extremely well at the beginning of the row. The landlady got into an altercation with three or four drunken men in the bar. They wanted more drink, although they had no money to pay for it. She refused to give it to them, and they became violent, abusive, and offensive to the highest degree. One of them began to clamber over the bar to get more drink; and Hargan, hearing words of distress from the landlady, came to her assistance in a very manly way, and thereupon did what I am bound to say seemed to me to be more in accordance with American than English manners. He produced a revolver and threatened to shoot the men at that early period of the transaction. Of course, that was a proceeding which was entirely unjustifiable, because at that time there had been no assault or violence practised. But the unfortunate landlady appeared to be much more frightened by her protector than by the men, because she proceeded to push Hargan out of the bar and away out of the back premises, to get rid of him and his pistol. On this Hargan was cut off from the scene and proceeded to do what my right hon. Friend has stated—and this is a point on which chiefly I thought it my duty to commute the sentence—to escape by the window and make the best of his way off. Had it not been for that circumstance I should have thought once, twice, and thrice before venturing to review the Judgment of Mr. Justice Charles. This, no doubt, was strongly in his favour, as there was doubtless something in his mind which made him feel that he was in danger from the other men in the public house; and, therefore, he made his escape in that secret way. Now, what followed it is important to notice. The landlord, who had been asleep upstairs, came down and turned the three "desperate ruffians" out of the house without their committing any assault upon him—all three of them, the men who were shot and the man who providentially escaped the second shot! They were at the time so drunk that the witnesses say they were falling about outside the public. house. They were, therefore, certainly not in a dangerous condition. [*Laughter.*] I do not know the cause of the laughter, for if a man be so drunk as to be almost unable to stand, and falls about, he cannot be a very dangerous antagonist.

*Mr. J. LOWTHER: Who made that statement?

*Mr. MATTHEWS: This particular statement was made by Corcoran the cooper, who had been drinking at the bar with these men. He came to the door to see them turned out, and in his deposition before the Magistrate he alluded to having seen them falling about through drink. The right hon. Gentleman did not do me the honour of asking to see the depositions which were taken before the Magistrates and the Coroner. Had he taken the trouble to read up all these sources of information he might have come to a different conclusion.

*MR. J. LOWTHER: I read the depositions made before the Magistrate.

*MR. MATTHEWS: If the right hon. Gentleman read the depositions he would have found that the deposition of Corcoran was almost conclusive. The right hon. Gentleman, over and over again, has spoken of these ruffians having attacked Hargan. There was no attack at all, and it was really on this point that my decision turned. Therefore, I think, it is singular that the right hon. Gentleman omitted all notice of that fact. There was absolutely no attack upon Hargan. He was seen making off, very properly and wisely, as well as he could, and that again is much in his favour. He was seen by one of the three companions who pointed him out, and then these three drunken fellows followed. It is a little doubtful, and the fact is one that requires minute examination of the evidence, whether they could have overhauled him. It is said that all they did was to cry "Hi!" twice, to attract his attention. Hargan turned round on the first cry, he being some 30 or 40 yards in front of them. He turned round once and they followed, and he heard them cry "Hi!" again. Hargan turned round, stepped forward a few paces, drew his revolver, and at a distance of 12 yards fired three times, bringing down the first man with his first shot, missing the second only because he dropped on his hands and knees, and killing the third man with the third shot. This, it must be remembered, was when the men were 12 yards off. It is highly probable that had these three drunken men got hold of Hargan they would have hustled him. There had been a quarrel, they had been irritated by the production of the revolver in the public house, and, therefore, it was extremely probable that if they had got up to Hargan they would have assaulted him; although they might have done no more. But for the extravagant conclusion which my right hon. Friend drew that they would not only have assaulted Hargan, but would have killed him, there is absolutely nothing in the evidence to support. Was the act of Hargan under these circumstances a perfectly justifiable one, for that is the proposition which my right hon. Friend has put before the House. Assuming that Hargan was a man of excellent character, is it to be declared by the House of Commons that such a man is entitled to shoot down two others who have done no more than I have described? That is the question, but it is one not for me but for the law to determine. It is perfectly true that the law does not allow a man to use a lethal weapon even in self-defence except it be to save his life or to save himself from some such grievous bodily injury as may endanger his life. That is true, but it is also true that the right of self-defence does not arise unless an assault on him is not merely apprehended or likely to occur but is in actual progress, and is of such a nature that loss of life or grievous injury to life, or limb, or body would be the inevitable consequence. I should like to know, if the right hon. Gentleman's doctrine were accepted by this House, what answer I should be able to make if the police were armed with revolvers and were to use them? Constables come in contact with these loafers, and not only in contact but in conflict with them, often being assailed by these bad characters, and my right hon. Friend's contention involves this consequence, that a policeman might shoot his assailants in order to shake them off. As to hon. Members below the Gangway, who rose in support of this Motion, I invite them to apply the law, which they apparently approve, to Ireland. Suppose an Irish constable were followed by two drunken men, of however desperate a character—moonlighters, if you please—of any type you like; and suppose that these two men simply shouted "Hi!" twice to attract his attention, would he be entitled to turn round and at once shoot these men at 12 yards distance? Would the hon. Members below the Gangway consider that act perfectly justified, and allow the constable to go scot free? I put the example of a constable in the discharge of his duty because he is entitled to greater protection and favour in the eyes of the law than any other single individual. It seems to me that the proposition of my right hon. Friend would lead to consequences which we could not entertain for a moment. It is true that a man is justified in inflicting death when his own life is actually in danger. But my right hon. Friend actually used this proposition—that Hargan fired his revolver at the two men lest they should get hold of it and shoot him with his own weapon. That is really a most extraordinary doctrine. Why, it would lead to this: that if an armed poacher came in contact with an unarmed gamekeeper, the poacher would be entitled to shoot him, lest the gamekeeper should get hold of his gun. I do think that is an extravagance which my right hon. Friend will not defend. It is not for me to attempt to defend Mr. Justice Charles, who is far above any words that I can use in his praise. But, as he has been criticised, I would draw attention to this: that there were circumstances in the case which might lead to a conclusion very hostile indeed to Hargan. When he had shot these two men, he used an extraordinary and unpardonable expression. ["Oh!"] That excites the merriment of the hon Member for Northampton. "Lie there dead," he exclaimed, using a foul expression. That is an expression which might legitimately lead a judge of the facts to the conclusion that he fired in anger and irritation, on being followed, and if he fired in anger and irritation he was undoubtedly guilty of murder. I myself took a different view from that which appears on the statement of the learned Judge. I should be sorry to allow the House to suppose that there were not circumstances in the case which supported the learned Judge in the severe view which he appears to have taken after a most careful, complete, and anxious consideration. I think, on the whole, the safer conclusion was that Hargan fired because he believed himself about to be attacked, because there was a reasonable probability that he would be assaulted, badly assaulted, if you please, by men who certainly had shown that they could not be trusted or relied upon. That was, therefore, in his favour; that took from his act the character of malice, which alone could justify the severer sentence. I believe, myself, that I should be deserving of the greatest censure, and unfit for the duties I have to discharge, if I allowed, without punishment following, two men to be shot in the London streets in broad daylight, in a neighbourhood where there were many respectable shops, where the people, so far from having sympathy with crime, at once assisted the police in securing Hargan, and where there were many witnesses of unimpeachable character, bystanders who saw the occurrence, and who would undoubtedly have assisted Hargan against any attack that might have been made upon him. In such a neighbourhood, with such surroundings, and to allow two men to be shot without an attempt having been made to escape, for me to advise Her Majesty to grant a free pardon to the person who fired would be to imperil justice and to commit a most blameable act.

(5.22.) Sir W. HARCOURT (Derby): Mr. Speaker, for some years I shared the heavy responsibility now lying on the right hon. Gentleman, and, after the discussion that has taken place, I, at least, have come to the conclusion that he arrived at a right decision, and I think I ought to support him. I speak of this matter really with the knowledge principally derived from the statement made in this Debate, and I agree that it could only be in cases of high necessity or of gross and palpable error that the House of Commons could be induced to review those cases. We here have conflicting statements made on very many particulars between the right hon. Gentleman the Secretary of State and others, and we are very little able to find a verdict or pass a sentence in such cases. If we did so, we should reverse the decisions of four tribunals which had previously heard evidence. I take it that the only cause which brought this case under the recognisance of the House of Commons, was the unfortunate sentence passed by the Judge upon the prisoner in this particular case. I have long entertained the opinion, which I have expressed in public and private on several occasions, that in a great deal too many instances, I should say in the majority of instances, criminal sentences in this country are far too heavy. When I was at the Home Office, I addressed to the Judges a paper on that subject through the Lord Chancellor (Lord Selborne), which was supported by the Chief Justice of England, and which unfortunately did not have the results I had hoped. But I was able to say on that occasion, upon the authority of the Chief Commissioner of Prisons, that probably sentences of a lighter character would have a more beneficial effect than those now passed in this country. I remember an admirable Judge, a friend of mine, asked me to give him an order to see Portland Prison. He wrote me afterwards saying:—

> "If I had had the remotest idea of what a sentence of penal servitude was, I should never have passed the sentences that I have passed whilst I was on the Bench."

I think when you consider and know what a sentence of penal servitude is, you will feel that it is only the extremest crimes to which sentences of that magnitude ought to be applied. There is another habit of making jumps in sentences from 5 to 10, 10 to 15, and 15 to 20 years, which is totally irrational, and has the worst possible effect. And if this Debate has the result of inducing the Judges more carefully to consider the legality of the sentences which they pass, I think it will be a very useful Debate. What the House is now asked to say is, that Hargan has committed no offence at all, and unless we are of that opinion we cannot support the right hon. Gentleman in his Motion. The Home Secretary has most truly laid down the law that no man is to take the life of another except in circumstances of imminent danger to his own life. The question of whether a man is of good character or bad has nothing whatever to do with the case. The best man in the world has no right to take the life of the worst man in the world unless he is in danger of his life. To do justice to my right hon. Friend, I understood him to say that the badness of the character of this man led to the probability of Hargan's life being in danger. But I have heard of no facts to prove that there was imminent and immediate danger to justify Hargan in shooting the men. I heard one suggestion by my hon. Friend, which was that Hargan, having exhibited his revolver, might have believed that the men had armed themselves with revolvers or some other weapons.

*Mr. J. LOWTHER: I did not say with revolvers, but with some weapon or other.

Sir W. HARCOURT: I confess that that seems to me a strange assumption. I listened with some alarm to the dangerous doctrine propounded by the right hon. Gentleman the Member for Thanet. If the object of his Motion is to induce the House of Commons to affirm such a doctrine as he has laid down in regard to the use of dangerous and mortal weapons, that would be in itself a reason for rejecting the Motion. It is impossible to be too careful in this matter of the use of firearms. We know that in some other countries the practice has grown to an undesirable extent, but, happily, the practice of "shooting at sight" has not yet extended to this country. The question is simply this: Is it absolutely certain that Hargan was in imminent, immediate, inevitable danger of his life? I am not satisfied that this was so, and if it were not so Hargan was guilty of manslaughter. Then, of course, the question of character comes in, and it rests with the Secretary of State to say what ought to be the mitigation of the sentence passed. We are dealing with the case of a man whom you cannot declare to be absolutely innocent, whom you cannot say was guilty of justifiable homicide, who has been convicted of manslaughter, and I earnestly beg the House, as long as it leaves the responsibility of determining the remission of sentences in the hands of the Secretary of State, not to interfere with it. Of course, if the Secretary of State were to take some course which clearly demands the censure of the House, it is in the power and it would be the duty of the House to pass that censure. But I am not, in this case, prepared to support such censure. The men who followed Hargan were not armed with lethal weapons, and therefore Hargan acted rashly, and was guilty in the law. Some punishment ought to be inflicted, and I am not prepared to say that the commutation of the Home Secretary is an improper one. Therefore, I shall vote against the Motion of the right hon. Gentleman the Member for Thanet.

(5.34.) MR. LABOUCHERE (Northampton): This Debate has been infinitely refreshing to me, as I have often complained of the want of independence on the Government benches. I was, therefore, pleased to hear one hon. Gentleman opposite telling another that he ought to be hanged, and a right hon. Gentleman saying to another right hon. Gentleman that his sentiments were only fitted for some American bar. I have also remarked often upon the deterioration of our best men through having occupied public office. The right hon. Gentleman the Member for Derby is an instance of this. Any right hon. Gentleman who has been a Home Secretary seems to regard the office as a species of sacred priesthood which ought never to be attacked in the House, and rarely have I heard one Home Secretary attacked without an ex-Home Secretary getting up to defend him, however widely they may differ in politics. I have arrived at quite a different conclusion from that of my right hon. Friend the Member for Derby. If I may venture to criticise the right hon. Gentleman, I think the Home Secretary would do well if he realised more that the House of Commons is not an Old Bailey jury. The right hon. Gentleman is perpetually exaggerating, and he seems to be under the impression that he is either defending or bringing an accusation against somebody in the dock. He assails every one who disagrees with him. The right hon. Gentleman declared it to be monstrous that the men who followed Hargan should be styled ruffians; but he admitted that they were of very bad character; that they had tried to assault the landlady; and that they had been periodically put in prison. It is true the Judge said they were men of the worst possible character, but, says the Home Secretary, "to call them ruffians in this House is monstrous." It seems to me that their conduct was ruffianly. The right hon. Gentleman said that the men who followed Hargan, and who had already attempted an assault in the publichouse, were not dangerous because they were drunk. This was an extraordinary doctrine. I can understand that a person who is absolutely dead drunk may not be dangerous, but the person excited with liquor was always the most dangerous of any. It is in evidence that Hargan was walking along, and that the men were running after him; and the counsel for the prosecution himself stated that the men were only three yards from Hargan when he fired, not 12 yards, as the right hon. Gentleman stated. That makes all the difference. Two Home Secretaries have laid down the law that a man may not take life unless he is in immediate danger. I agree with that. But surely a man who has been already assaulted, who has been compelled to get out of a back window, and who is being followed by his aggressors, may legitimately consider himself in danger. When is the danger to begin? Is a man to defend himself after he has been killed? Hargan knew the men from their previous behaviour to be desperate characters; and, under the circumstances, the police not being present, he was perfectly right to shoot the men. I deprecate the practice of carrying pistols as much as any one; I think it would be well if the law forbad the practice. But it does not, and therefore you must not punish this man for being in possession of the weapon. He had the pistol in his pocket, and, as I think, he properly used it in self-defence. I shall vote for the Motion of the right hon. Gentleman the Member for Thanet.

*(5.45.) SIR F. MILNER (Nottingham, Bassetlaw): I hope the right hon. Gentleman the Member for Thanet will not put the House to the trouble of dividing. I have always looked upon him as a veritable pillar of the Constitution, and never expected to see him joining hands with the hon. Member for Northampton in attacking the prerogative of mercy exercised by the Sovereign of these realms, or combining with hon. Members from Ireland in an attack on the law of the land. There is little doubt that in passing the original sentence of 20 years the Judge made a grave mistake; and there is a practical unanimity of feeling that in reducing the sentence to 12 months the right thing has been done. It has been made abundantly clear from the evidence that the attack on Hargan was made by three men the worse for liquor, and unarmed. Under the circumstances, Hargan ought first to have had recourse to his fists instead of at once using a lethal weapon. Whether there was

criminal intent or not, Hargan showed a most reckless disregard of human life, and it would be impossible to pass over his offence without a severe sentence. Otherwise a most dangerous precedent would be set. It is the custom of people in the House and out of it to attack the Home Secretary on every opportunity; but I think events have shown that in the exercise of the prerogative of mercy, or otherwise, the Home Secretary has been generally right. Subsequent events have always borne out the correctness of the judicial decisions given by the Home Secretary in such cases as this. No one who knows me would consider me to be a hard-hearted man, indeed my known dislike to sending first offenders to prison has made me a greater favourite with the gentlemen in the dock than with those at the bar. But in this case I hold that a grievous offence has been committed, and that it was necessary to mark its seriousness by imprisonment. I hold that the course which the right hon. Gentleman the Home Secretary has taken has been the right one, and I do trust the right hon. Gentleman the Member for Thanet will rest satisfied with the explanations given.

(5.47.) MR. J. ROWLANDS (Finsbury, E.): I cannot congratulate the hon. Member who last spoke on the way in which he follows his own precepts. He asked that the time of the House should not be wasted by pressing this matter to a Division, and yet all the time he was speaking I was at a loss to discover the relevancy of his remarks to the subject under discussion. I was one of those who signed the original Memorial to the Home Secretary, asking him to mitigate the very severe sentence passed by Mr. Justice Charles. Now, I can assure the right hon. Gentleman that when I signed that Memorial I had a thorough knowledge of the neighbourhood where these men were shot; and I cannot help thinking that the hon. Members who have brought forward this subject have been guilty of a little exaggeration, possibly because they do not know the locality. I agree to a large extent with the description of the locality given by the police. The neighbourhood where the crime was committed is a very bad part, but it is surrounded by a very respectable district. It is not a neighbourhood that needs a special police force, but the inhabitants assert that, taking an average with the rest of London, the district is undermanned by police. I know the right hon. Gentleman may say that many other parts of London are in the same position. We are aware that, unfortunately, outer districts are denuded of police in order that the centre of London may be overmanned with the force. That is one of the grievances we have against the present administration, and that will have to be altered when any new form of administration is obtained. I listened to the defence of the right hon. Gentleman with astonishment. I had hoped to hear some sober remarks on so serious a matter, but the Home Secretary treated it with much levity—at least, so it seemed to us on this side of the House. But if the defence was a sound one, how is it that the right hon. Gentleman made the extraordinary reduction in the sentence of from 20 years to one year? Does not that show that he went as far as he thought it judicious to go? I must repudiate his suggestion that we on this side believe in people carrying revolvers and using them as they do in the wildest parts of America. I can tell the right hon. Gentleman that if he will bring in a Bill making the carrying of revolvers illegal, I will support the Second Reading. I believe this unfortunate man if he had not been armed would have been seriously assaulted, and I have strong testimony that the loafers at this spot have been a disgrace and terror to the neighbourhood; and now I ask the Home Secretary and the right hon. Gentleman the Member for Derby whether this case does not show the necessity of a Criminal Court of Appeal? I hope that the First Lord of the Treasury, before the Debate closes, will, on behalf of the Government, promise to bring in a Bill constituting such a Court. Finally, I will ask the Home Secretary to consider whether this man Hargan has not suffered enough already, and whether he cannot now see his way to set him at liberty? I hope that a fair number of police will be put in the district of Hackney in future.

(5.58.) MR. T. FIELDEN (Lancashire, S.E., Middleton): Are we going to divide on this question or not? That is what I want to know. I am in favour of prohibiting the carrying of revolvers in this country. The hon. Member for Northampton appears to argue that Hargan was justified in shooting the two men because he thought they were ruffians. Seeing the hon. and learned Member for South Hackney sitting opposite, I should like to ask whether I would be justified in shooting the hon. Member for Northampton if I thought him to be a ruffian? What difference is there in the argument? This Debate has been brought on by a right hon. Gentleman who is a Yorkshire man by birth, but who has had to seek a seat in Kent. He says it is quite right to use a revolver to shoot ruffians; but if he is going to argue on the basis that a man is justified in shooting anybody whom he supposes to be a ruffian, I am afraid it will be a very bad time for England. Again, his Seconder says this man ought not to be imprisoned because 10 of the 23 grand jurymen were in favour of this man. How does he know that? It is not usual to disclose the secrets of the grand jury room. Did he get his information from the papers, or from the right hon. Gentleman the Member for Thanet? I do hope the House of Commons will come to its senses to-night. This is simply a sentimental question. The Secretary of State for the Home Department has gone into the matter: he knows more about it than any of us, and he has acted upon his information. I shall not vote for the Resolution of my right hon. Friend, simply because I protest against men carrying revolvers in this country.

*(6.1.) Mr. J. LOWTHER: I have been asked whether it is my wish to take the sense of the House on this subject. It is for the House itself to decide whether it will go to a Division. I personally have no wish to ask the House of Commons to give up at 6 o'clock the opportunity of discharging business which lies before it, and therefore I shall not urge it to go to a Division. I desire to say, however, that I fear several very important documents affecting this question have been withdrawn from the right hon. Gentleman's perusal. My right hon. Friend talked of Hargan as having for some time had more experience of South American bars than of the service of his country.

Mr. MATTHEWS: No; I did not say that. I said the carrying of a revolver was more suited to a South American bar than to London.

*Mr. J. LOWTHER: My right hon. Friend very properly drew attention to the circumstance that Hargan was in the habit of carrying a revolver, owing to the fact that he had been in America. The right hon. Gentleman also said that Hargan had seen more of South American bars lately than of the barracks of his country. But the facts are that Hargan had had a distinguished service in the Army, and had risen rapidly as a non-commissioned officer, and that he purchased his discharge, and then joined the Corps of Commissionaires, into which, as is well-known, no one is admitted without a good character. Through the instrumentality of that corps he obtained employment with a contractor. He only left that employment in June, 1890, when he went to America. There he stayed only a few weeks, and this catastrophe took place in July, only five days after his return. There was only one witness who spoke of his assailants as being drunk; that was not confirmed by the other witnesses, and the witness himself was one who, my right hon. Friend said, was in the house drinking with the men. There being certain documents which the Home Secretary is not in possession of, I will supply my right hon. Friend with them, and I trust that the result of his perusal of them may lead to a re-consideration of the case.

Motion, by leave, withdrawn.

NAVY (SHIPS LOST OTHERWISE THAN IN ACTION).

Return ordered—

"Of the number of Her Majesty's ships which have been lost otherwise than in action since 1840; giving in each case, where possible, the date, locality, and occasion of the loss; the description of ship; the finding, or an Abstract of the finding, of the official Court of Inquiry where such inquiry was held."—(*Mr. Herbert Gladstone.*)

INSPECTORS OF WEIGHTS AND MEASURES (APPOINTMENTS BY COUNTY COUNCILS UNDER PROVISIONS OF ACT OF 1889).

Returns ordered—

"By Counties (England and Wales), of numbers of Inspectors appointed, or proposed to be appointed, by each County Council, and salaries offered in each case:"

"Of numbers of persons elected as Inspectors by the several County Councils;"

"And of numbers of persons so elected who have passed, and who have failed to pass, the examination of the Board of Trade."—(*Sir Richard Paget.*)

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 184.)

As amended, considered.

*(6.8.) MR. T. H. BOLTON (St. Pancras, N.): I rise to move the new clause which stands in my name. Clause 2 provides for the transfer of the collection of tithe to the County Court, and for the making of rules to enable the collection to be made. The clause I propose to add to the Bill is as follows:—

"The rules of Court shall provide for including in one and the same application to the County Court any number of separate claims against separate parties for the recovery of tithe rent-charge on land in the same parish, and for the apportionment between such parties of the costs."

It has been generally conceded that tithe is a property which should be preserved. Hon. Gentlemen opposite have contended that it is the inalienable and sacred property of the Church. We on these benches—at all events, many of us—have contended that it is public property which is only enjoyed at present by the Church, but which sooner or later will be taken possession of by the public, vested interests, of course, being compensated. Whether it is the property of the Church, or whether it is public property, which is only used for the time being by the Church, it is equally property that ought to be preserved, and that position has been recognised most emphatically and explicitly by the right hon. Gentleman the Member for Mid Lothian when he has on more than one occasion warned the public against allowing this national property to be lost or frittered away. The object of the Bill is to provide for the recovery of tithe, and I venture to submit it is desirable that the machinery should be practical and workable, that the provisions of the Bill should not be such as would result in a good deal of the property being uncollected and in process of time lost. As the Bill now stands there may be a separate application to the County Court in the case of each tithe rent-charge, and on each separate application there must be a separate receivership and a separate collection. There are, no doubt, in every parish many tithe rent-charges paid by one person, and in such a case there will be under the Bill as it stands only one proceeding or application. But in some parishes there are many separate ownerships, indeed there may be a separate owner of each tithe rent charge. At the present time there is a tendency to increase the number of landowners, so that we have to look forward to a multiplication of the number of tithepayers. The House will probably be surprised to learn the number of separate tithe rent-charges; on a former occasion I referred to a case by way of illustration. If I may do so without wearying the House I will mention one or two more instances. The subject of tithe rent-charge was recently discussed at the Surveyor's Institute, and a gentleman addressed the meeting with considerable authority. He had obtained a good deal of information, and was able to form a very accurate idea as to the number of tithe rent-charges throughout England. He ascertained that in one parish in Wiltshire there were 573 tithe rent-charges not exceeding 20s. each, and 371 of them were less than 5s. each. There were 27 of between 20s. and 40s. each. So that there were in the parish 600 separate tithe rent-charges not exceeding 40s. In a parish in Yorkshire this gentleman stated that there were 684 tithe rent-charges not exceeding 20s. each. I have particulars of the sale of tithe rent-charges for £59 18s. fixed upon 40 separate parcels of land, and the charge on some parcels is as low as 1s. per annum. The gentleman who spoke at the Surveyor's Institute made a very careful calculation, and gave a summary of the answers he had received from all parts of England in response to advertisements for information. From these returns it appears that in 25 parishes, some large and some small, there are 534 tithe rent-charges up to 20s., only 147 between 20s. and 40s., and 518 over 40s. If these figures are multiplied by four and then by 100, you would have an average for the 10,000 parishes, the number of parishes in England with tithe rent-charge upon them. The result is that there are 213,600 tithe rent-charges not exceeding 20s., 58,800 not exceeding 40s., and 207,200 exceeding 40s. It will thus be seen that we have to provide for the collection of an enormous number of small tithe rent-charges. If you apply to the collection of these small rent-charges a separate application, a separate order for a receiver, a separate receivership, and a separate dealing all through, you will find your machinery will be very difficult indeed to work. If you make the collection so troublesome, and relatively so expensive, as possibly you may by this Bill as it stands, the result may possibly be that tithe owners will hesitate, in some cases, to resort to the Court to recover their tithe, and, if they do, a very heavy penalty in expenses will be inflicted on those who are brought to the Court. I say, then, that in the interest of the tithe owner, as well as of the tithepayer and of the public, you should, as far as possible, minimise the costs and expenses. The Government have recognised the desirability of doing so by putting into the Bill the Schedules suggested by the right hon. Gentleman the Member for Bury (Sir H. James). I suggest that they should proceed further in the same direction. The jurisdiction you are giving to the County Court is much more ministerial than judicial. If the course I suggest be adopted, the County Court Judge will appoint a day on which he will deal with the tithe cases. The tithe owner, having applied in the usual way for payment, will put the defaulting tithepayers into a list, which will be taken into the County Court. One set of notices will go out, and by one process the Judge will dispose of all the matters, and will appoint one receiver to deal with all the cases. The costs and expenses can be easily divided, and the result will be that they will fall lightly on the tithepayers. I know I shall be met with the serious objection that, if this course were adopted, tradesmen would claim the right of adopting similar procedure, and issuing one process against all their debtors. We are not, however, dealing with private rights and private debts, but with property of a national character, and property which has formed the subject of special legislation over and over again. I do not know that after all the proposal is a very great advance on the custom of the County Court. Looked at without reference to legal technicalities, I do not know that it very seriously differs from the custom that prevails at the present time in County Courts with reference to the consolidation of actions. I find it laid down in the *Annual County Court Practice* that if several actions be brought in the same Court by the same plaintiff against several defendants, and the event of the actions depends upon the findings of the Judge and jury on some question common to all of them, the Judge may at any time (apparently either with or without application) select one action for trial and stay the others, and the stay will operate until judgment is given in the selected action. The object is to prevent unnecessary litigation and useless expense. I cannot see why, even if my proposal goes a little further than the consolidation of actions, the House should not, to meet special difficulties in this special case of the recovery of tithe rent-charge, extend the principle of consolidation of actions, and so practically facilitate the recovery of tithe rent-charge.

Clause (Inclusion of several claims in one application,)—(*Mr. Thomas Henry Bolton,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(6.28.) SIR W. HARCOURT (Derby): I sincerely hope the Government will not entertain this proposal. When it was made suddenly the other night I thought it was objectionable, and the more I have considered it the more objectionable it has appeared to me. It violates altogether the principle on which we have proceeded on this Bill, namely, that we are not to place the tithe owner in a better position or the tithepayer in a worse position than at present. The hon. Gentleman says it will place the tithe owner in a position he does not at present occupy, and will enable the tithe to be easily and compendiously recovered, but he appears to be desirous of acting in the fashion of the Roman Emperor, who expressed a wish that the people had only one neck in order that he might cut off all their heads with one blow. There is no other body to whom this power of taking victims *en bloc* has been given. The parish cannot do it in respect to the rates; the rates are collected in small sums, though, of course, it would be exceedingly convenient to club the whole parish together and sue for the rates by one action. Why should we do this for the tithe owner? Not even the powerful Chancellor of the Exchequer can do this for his taxes. It would be highly convenient to the owner of a number of small tenements that he could issue a writ to which all his tenant occupiers would have to appear. The hon. Member has referred to the consolidation of actions, but surely he will see the difference from this case. The very essence of consolidation of actions is that they shall all arise upon the same question. But in these cases under consideration debtors may have totally different grounds of defence. Actions are often consolidated by consent of parties, but seldom by the Court, unless the absolute identity of the case is proved. Now, I saw the other day the prospectus of a Joint Stock Company—the "Tithe Rent-Charge Collecting Company, Limited"—whether the hon. Member is Chairman of that company, and proposes this Amendment in the interest of that company, I do not know——

*Mr. T. H. BOLTON: I can assure the right hon. Gentleman and the House that I have no connection whatever with the company, nor indeed did I, until the right hon. Gentleman mentioned it, know of the existence of such a company.

Sir W. HARCOURT: Of course, I was only speaking in joke, and did not mean it seriously; but if that was the object the Amendment would serve the purpose admirably; it would give to them on behalf of tithe owners a power, a screw, not possessed by any other owners of property in the country. The hon. Member has not concealed the fact; he avows it is an exceptional proposal not now to be found in the law, but he says it is for an exceptional object, namely, the collection of tithe. But I ask the Government not to treat this in such an exceptional manner. We have gone on tolerably amicably on the basis that we are to alter the nature of the property as little as possible. We have throughout joined in keeping out of view personal liability, keeping this as a charge on the land as it was originally, dealing with it in every respect on that principle, making the charges as small as possible, with the idea of making the liability fall upon the owner, not the occupier. But now the hon. Member, at the eleventh hour, proposes to place the whole of this property, in respect to collection, in a preferential and exceptional position occupied by no other property. I hope the Government will not depart so widely from the principle they have hitherto recognised, and that they will not encourage this Amendment.

(6.35.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I think the right hon. Gentleman has left out of view one or two arguments which can be used in support of the Amendment. It is, of course, a matter for the House to determine. If I thought it could be fairly represented as a favour to the tithe owner, then I should agree it is a change we ought not to make. But when the matter comes to be understood it really is not a favour to the tithe owner. The proposal is that, wherever there are a number of small sums of 2s. or 2s. 6d. due for tithe rent-charge, then the owner should be able to include them in the first preliminary notice to the County Court, and that being done, the defendants will give notice of their defence, and action will proceed. The saving in fees will be a slight advantage, but I do not see how this can be said to increase the remedy of the tithe owner, or put him in a better position. In regard to rates it may be mentioned that a distress warrant does issue for a number of cases, and, that being issued, a separate summons is sent in each case. This initial step is extremely like the issue of a distress warrant in the first instance. There is no analogy between this case and that of the Exchequer cases. Just let us appreciate the case. The tithe owner has tithe due to him from a number of small occupiers who hold land under the same title, hold land practically under the same circumstances. What harm can it do that the tithe owner can carry out his desire to include some 10 or 15 names in the same list and in one statement? But we have no very strong feeling about it. The right hon. Gentleman is mistaken, I think, in considering it is a proposal in favour of the tithe owner simply, but I leave it to the House to decide.

*(6.38.) MR. H. H. FOWLER (Wolverhampton, E.): The Attorney General has fairly recognised the position, and the understanding that the tithe owner is not to be placed in a better position, and is not to have an additional advantage conferred upon him. If the proposition of the hon. Member was for dealing only with the occupier, I could quite understand the convenience of this mode of proceeding, though I should still entertain objection to it, but this procedure is directed against the owner who may happen to be occupier. Under the present law, where tithe is collected from a large number of occupiers in amounts of 3s., 5s., or 7s., of course the argument of the hon. Member for St. Pancras would apply, but it will not apply under the present Bill. It is not on the face of it likely that a large number of small owners in the parish will be in arrear in respect of tithe and under similar conditions. You will be dealing with owners. Under the rules of Court there will be one remedy against an owner in respect to tithe assessed on separate fields, but what the Amendment will do will be to club the whole of the owners in a parish together, though they may hold under different titles, and there may be no analogy between the different cases, and there can therefore be no test case. No analogy is offered in the case of a number of newspapers printing the same libel, and when the actions are consolidated in order to obtain one decision affecting the whole. This proposal contains an altogether new principle, and unless we are prepared to extend the principle to cover all debts and obligations, allowing a tradesman as plaintiff to combine a number of debts, for instance, in one action, I do not see how we can agree to this clause.

(6.41.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): I am afraid the hon. and learned Gentleman has not considered all the inconvenience and injustice that may arise from the adoption of such a clause as this. The proposition amounts to this, that a number of defendants, each of whom may have a separate defence, may be consolidated in one action. It must not be assumed that the same questions will be involved in each case; the defences may be wholly different. One man may claim that he had sold his land before the tithe was due, another may contend payment already made, a third that the amount should have been allowed in account between the parties, or another that the charge is excessive. Are all these people, each with a separate defence, to be included in one common action? Each defence must be separately heard by the Judge, and every one of the parties will have to be present. Imagine the confusion that must arise among principals and counsel. I am inclined to think the proceeding would increase and not lessen costs. It may well happen that in some cases there will have to be certain interlocutory proceedings, and notice of special defence in others. Now, suppose 40 defendants joined together in one omnibus action, is a notice that really affects only one defendant to be served also on the other 39? If one of the number desires the case to be tried by a jury, are the others also to be tried by jury—a much more lengthy procedure than by Judge alone—simply because one of 40 desires it? Then there is the question of appeal. The decision may be such that only one defendant wishes to appeal; are the other 39 therefore to be dragged to the Court of Appeal? I am quite sure such a cumbersome procedure cannot be contemplated. My hon. Friend seems to draw a distinction between these cases and ordinary cases, say of a tradesman combining his debtors and firing one shot at all, on the ground that this is public property. That is true, so far as the nature of the property is concerned, but it is not true as to the action. Actions will be taken by private individuals, in whom for the time being the property is vested. Therefore it is private property in that sense; it is the right of the individual to put money into his own pocket; it does not partake in any way of the nature of public property, in so far as recovery in these particular actions are concerned. Taking all things into consideration, the confusion that would result in the endeavour to carry this thing through would exemplify the truth of the old adage, "More haste worse speed." I cannot conceive a method by which it would be more easy for recalcitrant tithepayers to delay recovery than by thus joining claims together in one action. We know how constantly it happens that in County Court actions a defendant is unable to appear from illness or other causes, and asks for an adjournment. In this number of 40 defendants, how likely it will be that one may be unable to attend, and will send a certificate of illness. Then, as it will not be possible to hear the case in the absence of one defendant, the whole action will have to be adjourned. The practice of the County Court is necessarily not carried on under the rigid rules of the High Court, that parties must be present and ready to proceed or the case is struck out. In County Courts such a rule is not possible. It would be unjust to a number of poor people who have not the means of employing a solicitor. The expedition with which actions are tried in the County Court at comparatively slight expense is due to the fact that rigid rules are not adhered to. I have known the fact of one of the parties having missed a train being held as a reasonable ground for adjournment, so that judgment should not go by default, with the possible expense of application for a new trial and waste of time. There are so many objections to the clause that I am astonished the Attorney General should have taken up this neutral attitude; and I trust, on re-consideration, he will put his foot down determinedly on an Amendment that must lead to so much confusion and inconvenience.

*(6.49.) Mr. F. S. POWELL (Wigan): The hon. Member who has just spoken has not, I think, sufficiently remembered that the object of the clause is to compel the Court to frame rules, and no doubt the rules would be made sufficiently elastic to meet the varying circumstances and conditions. It may be that the rules might be so adjusted as to be free from the objections raised. But I rise chiefly in consequence of a remark made by the Mover of the Amendment, in which he bore testimony to the very small amounts which are collected by way of tithe in many districts. From my knowledge of the West Riding of Yorkshire, I am aware that the tithe is levied in very small sums—sometimes 6d. and 9d. Even as the law stands, many of these tithes are not collected at all. Within the range of my personal acquaintance there are many vicars who sacrifice a large part of their small incomes rather than collect these small tithes from their parishioners. Now, it is said we must not by our legislation change the law against the tithepayers; but we ought to remember that, so far as these small sums are concerned, we are altering the law seriously against the tithe owners, for these proceedings in the County Court will be more cumbersome, dilatory, and costly. I think it is only equitable, as we are increasing the difficulty for the tithe owners, that we should consider this facility suggested, and I hope that on consideration the Government may be induced to give a favourable ear to the proposal made.

*(6.52.) Mr. G. OSBORNE MORGAN (Denbighshire, E.): After the practical speech of my hon. Friend (Mr. Roberts), who probably knows more about the working of County Courts than any other man in the House, I hope the Attorney General will consider the Amendment is not one that should commend itself to his judgment. I quite agree that tithe is national property that ought to be preserved; but I cannot see that as such it should be accorded special treatment to the advantage of the tithe owner, such as is not extended to taxes or to rates. See what the Amendment would come to. A tithe owner would club together from 20 to 50 defendants in one action, different owners with different properties held under different titles, raising different defences established by different witnesses! I imagine what it would be; what a confusion it would lead to. At present you can only consolidate actions when they are brought in respect to an identical matter. Moreover, if you begin to prescribe the course of proceedings for the County Court, then you should do so uniformly.

*(6.54.) The PRESIDENT of the BOARD of TRADE (Sir M. Hicks

BEACH, Bristol, W.): I confess I address the House on this technical matter with a considerable amount of diffidence. I do not pretend to an intimate acquaintance with County Court proceedings, and I do not know that I quite appreciated, when the hon. Member for St. Pancras mooted the question, the full effect of his proposal. Certainly I had in my own mind rather the case of a number of tithe rent-charges due to a tithe owner from a tithepayer than a number of small tithe rent-charges due to some tithe owner from a number of different tithepayers, who might hold their property under very different titles. Looking at the objections that have been urged, I think the hon. Member for St. Pancras would be well advised not to press his Amendment.

Motion and Clause, by leave, withdrawn.

*(6.57.) MR. SEALE-HAYNE (Devon, Ashburton): I believe the Amendment which stands in my name will be accepted by Her Majesty's Government; and, therefore, in as few words as possible, and as I shall not have an opportunity of replying to objections, I will state the object of the Amendment. In consequence of a decision in the Law Courts it turns out that in the case of a tithe owner making default in payment of rates the only remedy is for the collector to recover against the occupier for a debt which is none of his, and the only remedy for the occupier is to recover from the landowner, and the landowner from the tithe owner. Only by this round-about process can the rates be collected from the defaulting tithe owner. Of course, the difficulties which arise, as can be easily imagined, are very serious. They have arisen in my own neighbourhood, and I have no doubt other Members know of instances elsewhere. The Amendment I desire to propose will be as printed in the Paper, but, in the third line, after " other," I would insert the word "occupying." The first part of my Amendment relieves the occupier from the liability to pay the rates of the tithe owner, and the second part makes the landowner liable to pay the collector the tithe rent-charge, in the event of the tithe owner's default of payment of rates, until the debt for the rate is settled. I have only to thank the right hon. Gentleman the President of the Board of Trade for having put my Amendment in such order that it is acceptable to the legal advisers of the Crown.

Clause (Rating of owner of tithe rent-charge,)—(*Mr. Seale-Hayne,*)—brought up, and read the first time.

Motion made, and Question, "That the Clause be read a second time,")—(*Mr. Seale-Hayne,*)—put, and agreed to.

*(7.4.) MR. S. T. EVANS (Glamorgan, Mid): We are indebted to the hon. Member for proposing this clause; but I think the 2nd sub-section is objectionable, and I move that it be omitted. I think the 1st sub-section amply carries out the object the hon. Member has in view, and enables any rate on the tithe rent-charge to be recovered from the owner. The 2nd sub-section at the end says—

> "And the order may be executed as if it were an order under this Act for the payment of a sum due on account of the tithe rent-charge."

I think that this instead of facilitating matters would create difficulties, and put the owner and occupier to inconvenience on the default of the tithe owner. I move to omit the 2nd sub-section.

Motion made, and Question proposed, "That Sub-section 2 be omitted from the proposed new Clause."—(*Mr. S. T. Evans.*)

(7.6.) MR. J. BRYN ROBERTS: I think my hon. Friend is under a misapprehension in this matter. I do not think the effect of the sub-section will be to enable the rates to be charged on the property of the occupier. But in a case where the tithe owner resides away from the parish, or is abroad, and it is impossible to get the rate from him in the ordinary way, then a receiver can be appointed, not of the rent and profits of the land, but of the tithe of the owner. The landowner who has to pay the tithes, instead of paying them to the tithe owner will pay them to the receiver, who will deduct the rates, and pay over the residue to the tithe owner, who, as I say, may be residing abroad. It seems to me necessary that the subsection should stand, for there would be no remedy in the case of a non-resident tithe owner, or a tithe owner who may be residing away from the country, or may be a lodger without goods on whom distress can be levied.

SIR R. WEBSTER: The object is to meet the case of the person responsible for the rates being out of the country. There is no possible danger of the clause in any way working otherwise than for the purpose of removing a blot in the law.

(7.7.) MR. ARTHUR WILLIAMS (Glamorgan, S.): So far as I can make out, the 1st sub-section makes the owner of the tithe rent-charge directly liable for the rate. Then comes the case of the owner of the rent-charge declining to pay the rate or the tithe. Because you cannot get hold of the owner you appoint a receiver to intercept the rate and pay it over to the poor rate collector. I do not see why, under the circumstances, we should complicate an already sufficiently complicated Bill by allowing this 2nd sub-section to stand.

Question put, and agreed to.

Clause, as amended, added.

(7.8.) MR. LLOYD-GEORGE (Carnarvon, &c.): I beg to move the following clause:—

"Whenever any proceedings of a criminal or penal character arising out of the recovery of tithe rent-charge under this Act shall be tried by a County Court Judge, the defendant may require a jury, and, if tried by a Court of Summary Jurisdiction, the defendant shall, if convicted, have a right of appeal to the Quarter Sessions next ensuing after his said conviction, the enforcing of such conviction being suspended until the said appeal shall have been decided."

The enforcement of this clause would carry with it the sympathy of the country. There is this much to be said against County Court Judges when adjudicating on questions affecting their own officers, that they would be liable to take an exaggerated view of any offence against a bailiff. They would rely to a great extent on the credibility of their own officer, and I do not think that in these cases there should be any presumption in favour of the prosecution. Apart from the judicial character of the County Court Judges, I think it important that a jury should be interposed between them and the defendants. Suppose there is a summons issued under the 48th section of the County Court Act—suppose a person is summoned for assaulting a bailiff. You may commit an assault without really being guilty of violence. There is such a thing as constructive assault—technical assault—such as the brandishing of a stick or the showing of the fist. I think it all-important that in such cases a man should not be sent to prison, in the manner contemplated by the Bill, without having the right of trial by jury. A man who is a trained lawyer would be liable to take too technical a view of that offence, whereas a jury would put aside technicalities and look at the common sense of the matter. I therefore submit that in such cases a jury would be a better judicial authority than a County Court Judge. Something was said the other night about juries in Wales being carried away by their sympathies when trying cases arising out of the present tithe agitation. But I would point out that the Registrar, on whom the duty of selecting the jury would fall, would not select persons who would be likely to be carried away by their feelings. I do not think anyone on a jury in the County of Carnarvon would be likely to be carried away by the prejudices of the anti-tithe men. With the exception of one Registrar, all the six in that county are Conservatives, and I believe the sixth is a Liberal Unionist. With such men it is a cardinal point in their creed that law and order must be preserved, and I do not think they would be likely to select juries who would favour disturbance of the public peace. I think the Government may rest assured that the Registrars would select jurymen who would be perfectly impartial. As to the other part of the clause—that relating to Quarter Sessions—I think it is highly necessary. The County Court Judges are not ardent partisans, and as judicial authorities they do not take it on themselves to interfere in politics, but that cannot be said of the Justices of the Peace. Whatever may be said about a jury, I do not think Justices of the Peace can be regarded as an impartial tribunal in matters of this character. There is this to be said with regard to a jury: In civil cases in the County Court where there is only a matter of £5 in dispute the defendant may demand a jury, and yet in cases which affect his own liberty he cannot at the present moment insist upon a trial by jury at all. I think this is a great inequality of the law which ought to be remedied, and I hope in this case the House will consent to remedy it.

A Clause (Appeal in proceedings of a criminal or penal character arising out of the recovery of tithe rent-charge,)—(*Mr. Lloyd-George,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(7.16.) SIR R. WEBSTER: It is impossible for us to accept this new clause. I would submit to the hon. Gentleman, who has shown great acuteness in regard to this Bill, that, in the first place, the hon. Gentleman has made out no case for it; and, in the next place, it would be extremely unwise to introduce such highly controversial matter. The only cases to which the clause refers are cases which are met by Sections 48 and 162 of the County Court Acts, namely, assault, rescue, insulting the Judge, bailiff, or Registrar, or wilful misbehaviour in Court. It is the duty of those who desire to see justice properly administered to endorse the principle that the Court should have power to protect its own officers. The hon. Gentleman proposes that if an admitted breach of the law takes place—[*Cries of* "No!"] Well, the clause deals with proceedings of a criminal or penal character.

MR. LLOYD-GEORGE: Not an admitted breach of the law.

SIR R. WEBSTER: I was not using "admitted" in the sense the hon. Gentleman understood me to be using it. I meant that if the offence were proved it would be admittedly a breach of the law. Well, the hon. Member proposes to alter the mode of dealing with such a case. I ask the House to endorse the decision it has persistently given not to take away from the bailiff the protection that is given to him in other Common Law cases. If it was a case of what happened before judgment it would be a different matter. It is practically conceded that the clause will affect misconduct either in the course of the proceedings, when the ordinary law ought to be enforced, or after judgment has been given, when of course it is to be assumed that the law will be obeyed. No exceptional privilege of protection from the consequences of misconduct ought to be inserted in this Bill, and I think we are standing on safe ground when we give the officers of the Court the same protection in this Bill as is given by the County Court Acts in other matters.

*(7.20.) MR. S. T. EVANS: I think the hon. and learned Gentleman has misapprehended the effect of the clause. The hon. and learned Gentleman says it is of the utmost necessity to keep intact the power of the Court to protect its own dignity and to protect its officers. We agree. Then the hon. and learned Gentleman argues that we propose to take away from the County Court the jurisdiction it now has in that respect. But that is not what this clause proposes. The first part of it deals with the question of the defendant being entitled to demand a jury in proceedings of a penal or criminal character in the County Court arising out of any proceedings under this Act. I hope the Government will re-consider their decision on that part of the clause. In a purely civil case involving a sum of £5 and having no penal consequences, the Government say there may be a jury. In a case, however, where the liberty of the subject is concerned, where the proceedings are of a criminal character, and the punishment of either fine or imprisonment can be awarded, the Government wish the House to say that the defendant shall not have a jury. There is no ill-feeling at present existing between the people in the Principality and the Judges in the Principality. Surely hon. Gentlemen opposite would deem it an unfortunate thing if anything should happen to place the Judges and the people in conflict. I venture to say that the County Court Judges would prefer that questions of this character, which no doubt involve political considerations to some extent, and in which at any rate political feelings will arise, should be left to a jury. There are no juries at all, except in peculiar cases, before the Justices, and therefore my hon. Friend proposes that if these offences are prosecuted before a Court of Summary Jurisdiction there shall be an appeal. Upon a simple question as to

out making an appeal to the right hon. Gentleman the President of the Board of Trade to accede to the representations that have been made to him from so many quarters of the House as embodying the wishes of the Principality. Though political feeling may unconsciously warp the views of the right hon. Gentleman, I feel sure it is his desire to meet the views and wishes of the people of Wales in as favourable a manner as possible. I really cannot understand the objection which induces him, against his better self, to oppose the wishes of the Welsh people. If the Bill is directed against disturbances in the Principality, it is of the utmost importance that nothing should undermine the belief of the Welsh people in the fairness of the new tribunal. Therefore, it is desirable that the right hon. Gentleman should make some concession, if he wishes to see the success of the measure which he has brought in. The noble Lord the Member for Darwen contended at one time that this was a non-political measure, and at other times that it was political. If it is not political, then surely none of those oppressive consequences which it is thought would result from the insertion of the clause could ensue. If it is a political question, then the noble Lord, and those who support him, are running counter to the whole current of political history. In discussing this question in Committee, I gave the illustration, which I repeat now, of Fox's Libel Act, in answer to the argument of the noble Lord that political matters ought to be withdrawn from the jury, and showed that the Libel Act pointed in the very opposite direction. We have not found any ill consequences result from the Libel Act, which was mainly due to the industry and public spirit of Mr. Fox. I do think it is a most dangerous thing that any one individual, however excellent a person he may be, should have the opportunity of unconsciously, no doubt, being biased towards creating a constructive offence, and then imposing a fine for the offence he himself has created. This Amendment avoids the great danger of the County Court Judge creating an offence and then punishing for it. I say it is important to satisfy the Welsh people that justice is intended to be done. The second part of the proposition seems to me exceedingly reasonable. Is it too much to ask that there should be right of appeal to the Court of Quarter Sessions—a Court much lauded by hon. Gentlemen opposite, and one which, therefore, they should accept as appropriate? Though some of the arguments used on behalf of the people of Wales may be considered sentimental, yet I do not think they should be less regarded on that account, for the sentiment is such as should be considered at the hands of the Legislature. There is no desire on the part of responsible citizens in the Principality to commit unlawful acts, but they do object to the possibility of equivocal or lawful acts being construed into unlawful acts. That is a danger against which we desire to guard; it is not an imaginary danger. I earnestly appeal on behalf of the people of Wales, and especially of the constituency which I represent, and which is affected more than any other by this question, to the Government to re-consider their decision, and to adopt a course which will further their efforts in ensuring that peace and quietness which they profess to desire.

(8.0.) **Sir W. HARCOURT**: The great danger of this Bill should be that the persons most affected by it—the small owners—will feel that they are liable to be County Courted. County Courting may be a very light or a very severe matter, but if you allow it to be severe you will make the Bill odious to the people. At present it is impossible for criminal proceedings to be taken with respect to tithe, and without trial by jury. But you are going to alter that by transferring the jurisdiction to the County Court, and consequently the people who will be subject to the Bill will be put in a far more unfavourable position in respect of criminal proceedings than they occupy under the present law. We have been contending against that throughout these Debates. We have said let Parliament shift the burden as it likes from the occupier to the owner, but let it not make the burden heavier than it is at present. It is quite plain that any criminal proceedings which may arise and have arisen—we all regret the circumstance—by reason of tithe riots in Wales are brought under the ordinary Criminal Law. But by this Bill you are bringing the matter under County Court jurisdiction, and allowing the cases to be summarily disposed of without right of appeal. Under the 48th section of the County Court Act the bailiff will be able to take any offender into custody with or without warrant and bring him before the Judge. But suppose the County Court Judge is not to sit for a fortnight or a month, what is to be done in the interval with a person who has been arrested, with or without warrant, as he may be for the more serious offences? Where was he going to be kept? Is he to be imprisoned until he can be brought before the County Court without any provision for bail? You are placing the whole class of yeoman farmers in Wales under this serious liability. You are putting them under a harrow which they have never been under before; you are placing them in a disadvantageous position which they have never before occupied, and which they have done nothing to deserve. By all means, if persons act contrary to law, let them be proceeded against and punished in the ordinary course of law; but Parliament ought not to render such persons by exceptional legislation defenceless in comparison with the position they formerly occupied. I do hope that this Amendment will be accepted. The right hon. Gentleman the President of the Board of Trade has so far met us in a very fair and reasonable spirit. I agree with him as to the general principle of the Bill, that it is only intended to make a new arrangement relative to the incidence and collection of the tithe, and that it is not desired to make the position of the tithe owners less favourable than before; but I repeat that unless you accept this Amendment you will impose fresh liabilities and commit a great injustice. (8.7.)

*(8.37.) MR. STUART RENDEL (Montgomeryshire): I do not propose to travel over any of the ground which has been occupied by my hon. Friends in stating the objections they entertain to the Bill as it stands, or in advocating the Amendment now under consideration. I rise for the purpose of taking up narrower ground, that of the personal experience of an ordinary Member of Parliament.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(8.40.) MR. STUART RENDEL: I believe that the object of the Government and of the Members from Wales coincides in one important particular, and that is that the Principality should not be any longer under the risk of becoming the scene of disorder or violence in regard to the collection of tithe. The tithe movement in Wales has been very much misunderstood. It is thought by some people to be a selfish movement, an attack upon tithe as tithe. It is nothing of the kind; it is simply a movement against the application of tithe, and the movement is undoubtedly one of strong religious conviction. It could not, in the view of those who forward it to the utmost of their power, be otherwise than seriously aimed if it were accompanied with anything like lawlessness and disorder. It is from that point of view that I entertain grave anxiety as to the portion of the measure now before the House, unless it is amended as suggested by my hon. Friend. I am afraid that the new power given to the County Court Judges to summarily imprison will afford a temptation to some persons to make cases for the exercise of such power. It would be rash to say this unless one had some experience to back his view or fear. It will be within the remembrance of the Attorney General that at a very early stage of these troubles in Wales, certain disorder did occur, that it was necessary to investigate the extent and character of that disorder, and take responsible opinion as to the mode in which it might be dealt with. I am sure my hon. and learned Friend will agree with me that, as a result of such investigation, it was discovered that there had been a somewhat too serious view entertained by tithe owners in the locality as to the extent and character of the disorder, and that, on the whole, the disorder was not of an aggravated kind. If disorder did occur at all it was, I fear, partly due to the action of those who were interested in converting legal protests against the tithe, as now applied in Wales, into illegal, and therefore

punishable, methods of conduct. I believe this Bill will increase the inducement to persons who are interested in putting down display of any kind, however legitimate, of objection to the application of tithe in Wales, to press their remedy; not directly, by costly appeal to the County Court, but indirectly, by challenging, and secretly fomenting disturbances when the County Court bailiff levies distress. They will, I fear, be only too ready to secure the imprisonment of refractory tithepayers. Inasmuch as Welsh tithes are, as a rule, broken up into extremely minute sums, it will constantly happen that the remedy in the County Court will be worse than the disease itself. Under the circumstances, interested persons will have a stronger inducement than ever to look for, to hope for, to pray for, disorder in connection with the manifestation of public opinion, in order that they may go the shorter way of breaking down the manifestation, namely, that of inflicting, through the County Court, imprisonment upon any of the persons who engage in the expression of public opinion, and who may, by a little recklessness, expose themselves to what the law calls a constructive assault. The County Court Judge may feel that he has had thrust upon him the necessity of guarding the dignity of his Court by resorting to imprisoning. Once a case of imprisonment occurs it will be difficult for Members from Wales, whatever influence they may hitherto have been able to exercise in favour of peace and order, to answer for the maintenance of peace. I think that some of those who are interested in the promotion of this Bill are not fully aware of the efforts made by Wales in the interest of the agitation against the application of tithe—not in the interest of the tithe owner or the tithepayer—to prevent the agitation being marked by any unseemly proceedings. Whenever there has been anything like the faintest ground for charging upon the Welsh, in connection with the collection of tithe, a want of perfect peaceableness and order, a full and loud expression of opinion has been elicited on the subject here and elsewhere. Last Session I asked a question of the First Lord of the Treasury, in answer to which he made the frankest and fullest admission that in the county which I have the honour to represent, and where perhaps there has been as full, as free, as steady and important exhibition of the public objection to the application of tithe as in any county in Wales, there has never been the smallest case of disorder for the last two and a half years. If this measure passes unamended, what will be the case? At present, thanks to the tact, the good sense, and the good temper of the Chief Constable for Montgomeryshire, all these proceedings have passed off perfectly harmlessly and peaceably. I trust that the Government will re-consider the question of giving the County Court Judge power to imprison, and will remove the danger of creating a worse state of feeling and things in Wales than has existed hitherto. I feel the force of the reply the Attorney General has made, but it must be remembered that this is a special Bill, intended to apply to a special set of circumstances. It is in the nature of a political Bill. We are thankful the Government have transferred the incidence of tithe from the occupying tenant to the owner, but it cannot be denied that another portion of the Bill is distinctly political in its origin. On political grounds I think it would be well to relieve the County Court Judges from a most invidious position, and to take away from the owners of tithe in Wales the temptation to have recourse to an indirect and most pernicious mode of punishing refractory tithepayers.

(8.55.) SIR HUSSEY VIVIAN (Swansea, District): I do not rise with any hope of convincing Conservative Members, because it is rather a singular fact that there are only four Conservative Members in the House at this moment. At the same time, I feel constrained to appeal to the President of the Board of Trade to accept the most just and righteous clause of the hon. Member for Carnarvon. It has been said that County Court Judges in Wales visit their different circuits at least once in each month. I am informed that such is not the case, and that in many of the rural districts of Wales County Court Judges absent themselves for two and even four months. Under such circumstances, what may be the position of a man arrested under the operation of this Act? He may possibly be detained in prison without trial for two months, or even longer. Surely that is not a right or proper state of things. Then, I ask, how will this Act present itself to the inhabitants of Wales? If the clause under consideration is adopted the Welsh will know that they will be tried by a jury of their own countrymen, by an impartial jury, because I am quite confident that Welshmen on their oaths will try a case impartially. If the clause is not agreed to the people will say Parliament—in fact, Her Majesty's Government—have refused them trial by jury, and they will have no confidence that justice will be done them. I do not wish to cast the slightest slur upon the County Court Judges. I believe that, as a rule, they are men who act strictly in accordance with justice. At the same time, a County Court Judge is only a unit, and I cannot suppose that those who are tried will have the same confidence in his decision as in that of a jury of their countrymen. I believe it is the fact that in these cases tried under this Act for sums beyond £5 there is a right of appeal absolutely; but I have never heard it explained why it is right to admit the claim of suitors to trial by jury in cases above £5 and to deny it below that sum. It appears to me rather like a law passed for the rich and not for the poor. The average of cases that in Wales will arise under this Act will be something like £3, and so the greater number of cases will be excluded from trial by jury. If the House desired to have this Act freely accepted by the Welsh people, then this class of cases must not be refused trial by jury. This would in no way weaken the Court; surely it would strengthen it. Surely the presence of a jury makes a stronger Court than when there is only the decision of one man. I really fail to see how the argument of the Attorney General applies. The hon. and learned Gentleman appears to argue that the clause would weaken the Court and withdraw protection from the officer of the Court; but, really, I cannot see how that could possibly be. The effect of the other proposition in the clause is that if a defendant is convicted by a Court of Summary Jurisdiction he shall have the right of appeal to a Court of Quarter Sessions. Is that an unreasonable thing? Surely it is not a thing that hon. Gentlemen can reasonably deny. Is it wise or expedient to deny this right? Into cases of this kind it is admitted politics do to some extent enter, not perhaps Party politics, as usually understood, but politics as between Churchmen and Nonconformists. That being so, then as a means of giving confidence and of strengthening the Court give the right of appeal. How will the Bill appear when it comes to be applied in Wales? It will appear that the House deliberately, and after full discussion, denied the right to the Welsh people of trial by jury, and the right of appeal to the decision of a Bench of Magistrates. If the Government desire to carry the people with them in this legislation, they must see how unwise it is to oppose this most proper and just clause.

(9.5.) MR. W. ABRAHAM (Glamorgan, Rhondda): I am still not without some hope that the little Welsh Party will be able to convince right hon. Gentlemen opposite of the justice of our plea in this instance. This Bill has over and over again been admitted to be a Welsh Bill, and it is now close upon being carried through, carried in this House supposed to represent the people, but still carried against the expressed opinions, wishes, and desires of five-sixths of the Welsh Representatives. That in itself places the Bill in an unfavourable aspect before the Welsh people. That being so, and the Welsh Members having failed in their attempt to get Wales exempted from the operations of the Bill, it becomes our duty to do all we can to provide for its smooth working in the Principality. Conscientiously and sincerely, it is our opinion that unless right hon Gentlemen on the other side will consent to the use of this trial by jury the smooth working of the Bill will be impossible. There is no desire to evade the law when the Bill becomes law; our desire is to place the Welsh people on an equality with all other people. As it is, the Bill presents an unfavourable aspect. The Welsh people regard it, rightly or wrongly—rightly in our opinion—as a Bill to support a legal right, but to perpetuate a moral wrong. It is the duty of the House, then, to do all that can be done to ensure the Bill being received peaceably, at least, if not favourably, by the Welsh people. The changes in procedure give jurisdiction to County Court Judges, in whom the Welsh people have not confidence, and an indignity, an insult, will be added to injury. Again, there is the great difficulty of language arising, and the House must pardon me if I am considered to be bringing this subject forward too often. Its importance to the Welsh people can scarcely be overestimated. If I could bring home to the minds of right hon. Gentlemen the real and substantial difficulties that arise in Courts in this connection, I am sure the Government would endeavour to meet them. In my capacity as Miner's Agent it has been my duty to attend Courts and inquests, and well I know the difficulties that arise from the Welsh people knowing their own language only, and the Court knowing the English language only, and the incompetence of interpreters produces the greatest absurdities. In one case I remember a Welsh witness, being told to give evidence in English, replied, "I cannot speak the truth in English"—his meaning being that he had not at command language to convey the exact facts to the Court. I earnestly appeal to the Government to re-consider their decision, and by accepting this clause to remove some spikes and thorns from the Bill.

(9.15.) Mr. J. BRYN ROBERTS: Our great objection is that innocent persons may be wrongly convicted of assaults of which they are not guilty. The circumstances may arise in the confusion of a large crowd, and all we desire is that the facts may be ascertained by a tribunal most competent to elicit them. In all criminal charges a jury is most competent for the purpose. It is most necessary for, say, the Judge to be able to maintain the dignity of his Court, and we grant that, but these proceedings we have in view are in respect to the operation of the Act, not to proceedings of the Court. A disturbance arises, and the question is, who is the guilty party? Now, there seems to be a feeling that if there has been an assault, it is, first of all, necessary in the public interest that somebody should be punished. If you can get hold of the right man, well and good, but if you cannot secure the right man then punish the wrong man rather than that there shall be no punishment inflicted at all. We are apprehensive that a Judge, feeling perhaps to an unnecessary extent that the dignity of his Court is in peril, may, in a conflict of testimony give the benefit of the doubt rather to the dignity of his Court than to the person accused. That we consider will not conduce to the dignity of the Court, and we are desirous that every safeguard should be adopted against such a proceeding. The only argument suggested against a jury is that in some—not in all—cases, some amount of political feeling may arise. But granted that may be the case, our course should be to provide the best tribunal under the circumstances. I am quite aware that where strong feeling exists, you cannot get a perfect tribunal, for any tribunal will be more or less affected by political prejudices; but is the jury more or less likely to be affected by this prejudice than the Judge? Less likely I think, for prejudices will be balanced. A jury will invariably include representatives of both Political Parties, Liberals and Conservatives, Nonconformists and Churchmen. These opinions meet in discussion of the evidence, and surely it is more probable that a verdict will be given free from political bias than a decision on the irresponsible judgment of one individual who may be as much influenced by prejudice as any man on a jury. It is a mistake to suppose that prejudice is less strong with the educated; that is often shown not to be the case. There will be the additional prejudice on the part of the Judge in favour of his own bailiff, a feeling that he ought to stand by his bailiff, and a disposition to believe all his bailiff may say. These are tendencies that may lead to great injustice, and I think it is perfectly excusable in us on on this important matter to insist on the clause. It is, I think, the most important Amendment we have proposed of this character. Other Amendments were of pecuniary importance, questions of costs important no doubt to poor persons; but this is far more grave, involving as it does criminal proceedings and punishment by imprisonment. Then upon the latter part of the clause the power of appeal from the Court of Summary Jurisdiction, I would insist most strongly. I maintain that the Legislature cannot err in granting the right of appeal too liberally. I do not think it is always desirable to appeal from a decision; but my experience is, that when the right of appeal does exist, there is a greater amount of caution exercised by the tribunal of First Instance; greater patience, more consideration to the arguments on either side. Go to any Court and contrast the summary manner in which Judges decide questions of costs as to which there is no appeal with the manner in which they deliberate upon questions of law; they decide questions of costs without vouchsafing an ear to either side. I do not wish it to be imputed to me that I say that our Judges are guilty of any misconduct in their proceedings. I simply say they share in the ordinary weaknesses of human nature, and the best men will be actuated by considerations of the same character under like circumstances. The whole object of law is to restrain the caprice of Judges. If we were certain that we could have men who would always decide in cases brought before them with absolutely sound judgment, then laws would be unnecessary, and we might trust the Judges to act from a sense of justice. I have known cases in Courts of Summary Jurisdiction arising out of the Tithe Act in North Wales, as to which, if an appeal had been granted, the decision would have been wholly different. I remember a case in which a respectable farmer, not a Nonconformist but a Churchman—I believe a Conservative, but certainly a Churchman — was distrained upon. A great crowd collected, and the farmer hearing a scream, and thinking that his little son was being crushed, pressed forward very forcibly to assist his boy out of the crowd. In doing this he pushed a policeman aside, with no intention of assault but simply in his eagerness to get to his boy. This the policeman construed into an assault, and technically it was so, and the man was convicted, and this, I believe, owing to the feeling that in the state of excitement and irritation then existing it was necessary to make an example. I am quite sure that if on appeal, and away from the passion and ill-feeling of the time, this decision had been re-considered, the conviction would have been quashed.

*(9.25.) SIR J. SWINBURNE (Staffordshire, Lichfield): I confess I am one of those led to believe that the safety of trial by jury is a great constitutional doctrine, and more especially where there is danger of political bias being imported into legal proceedings. But here we are constructing a new method of procedure, instituting a new mode of collecting tithe, a matter upon which much feeling has been excited, and yet in regard to offences that may arise the Attorney General declines to accept the principle of trial by jury. I am informed by my right hon. Friend the Member for Denbigh (Mr. G. Osborne Morgan) that under Clause 48 of the County Court Act of 1862, a County Court bailiff has power, with or without warrant, to take possession of a man and lock him up for a month before bringing him before Magistrate or Judge.

*SIR R. WEBSTER: No.

*SIR J. SWINBURNE: Well, I speak as a layman, and I am speaking on the opinion of my right hon. Friend, who showed me the clause under which a bailiff of the County Court has power to arrest a man whom he thinks has committed an assault, and can actually keep him in custody for four weeks before bringing him before a Court of Law. If that is so, then I think it is monstrous to refuse to allow a jury in these cases under the Bill or to refuse an appeal to Quarter Sessions. The Justices, we know, are usually landed proprietors, and in Wales keen politicians. We are told that the Government are promoting this measure with the object of settling disturbances in Wales in connection with this vexed question of tithes, and I do not understand why the Government should refuse a proposal which will facilitate the object they have in view. I can see no cause at all why this should be refused not only in Wales, but all over England. This will be a crying defect in the law, and will make the Act most unpopular and unworkable. I think it is worth the while of Her Majesty's Government to re-consider their decision.

(9.31.) MR. RANDELL (Glamorgan, Gower): I should not have risen had it not been that the Welsh people throughout the Principality feel very keenly on this matter. I support the Amendment of my hon. Friend. At present the

County Court has only a civil jurisdiction, except in cases of judgment summons, when it has penal powers. We have been careful in this Bill to do away with these penal powers, and I hope the House will go farther and will refuse to confer on the County Court an additional jurisdiction—a criminal jurisdiction of a very severe character. If the Government decline to accept the clause, practically they will be conferring upon the County Court a criminal jurisdiction. In Pembrokeshire, Cardiganshire, and other counties where this agitation prevails, the County Court Judges hold their Court only about every two months. Is a man to be arrested, and is he to wait two months for his trial until the County Court Judge shall come round? I hope the Government will see their way to accepting the Amendment.

(9.34.) MR. CHANCE (Kilkenny, S.): I am bound to say I differ more or less from the hon. Member for Glamorganshire in making an appeal to the Government to accept this Amendment. It seems to me it is not a matter of appeal, and that he is not bound to support his Amendment by argument, but that the onus is on the other side to show why people are first to be brought within the grasp of the criminal law, and then to be deprived of trial by jury. I submit to the House that the ordinary theory of the criminal law in this country wisely and properly provides that every one accused of a criminal offence shall have a right to be tried by a jury, with certain exceptions in the case of petty criminals, such as pickpockets. That law exists for the burglars and wife beaters in your great cities. Will it be said that the persons who may bring themselves within the scope of this Bill are petty criminals? I would ask the House to consider how any Welshman will bring himself within the grasp of the criminal law under this Bill. Why will he do it? Not because he desires to evade a just debt, or because he thinks that tithes are in themselves an unjust and oppressive impost, but because he objects simply and solely, because he feels he is made by the State to support ministers and a Church, that, however admirable, are not his ministers and his Church. He sees on the one hand the ministers of the Established Church living on his money, and, on the other hand, he sees his own poor ministers very badly off, perhaps declaring the Word of God to him in some wretched hovel and supported by the money of the miner and agriculturist of the district. Therefore, the Welshman does not in any sense come within the ordinary category of criminals, and is a person who, of all others, ought to have the protectionof a jury of his own fellow-countrymen. Under this Bill a new jurisdiction has been given to the County Court Judge. The object of the Bill is to put the arm of the civil and criminal law more strongly and decidedly behind the class of people who are engaged in what is really a religious conflict for the great body of the Welsh people. Before this Bill was introduced what was the position? The tithe owner who sought to recover the tithe was compelled to employ his private bailiff, and if there was resistance and an action ensued, the tithepayer had the protection of trial by jury. Now, however, you are not only taking away that right, but by lending the Criminal Court to the tithe owner the man who resists will be clapped into gaol summarily, without, practically, any form of law at all. That is a change in the law which should require the strongest arguments to support it. Where the debt is over £5 a man will have the protection of a jury, so that where the amount is only £4 19s. 11d. a man is to be in an infinitely worse position than one who has to pay £5 0s. 1d.

*SIR M. HICKS BEACH: That has nothing whatever to do with this Amendment.

MR. CHANCE: I am dealing with the argument on which the trial by jury has been refused. The Government say they will give trial by jury where £5 is at stake, but not in cases where imprisonment can be inflicted. I make the right hon. Gentleman a present of that argument. I trust the House will not permit this important change to be made in the law without hearing first from the right hon. Gentleman the declaration that he considers that the Welsh people who, on the ground of religious belief, refuse to pay this tithe ought to be treated with as much justice as the ordinary burglar.

*(9.42.) SIR M. HICKS BEACH: I do not quite understand the object of the last speech. The hon. Member evidently has not studied the particular proposal involved in this clause, and during the whole of his argument showed that he was thinking to some extent of an entirely different matter. Parliament has laid down a certain method of procedure for the punishment of offences against the County Court and its officers of a criminal nature in the recovery of debts. As lately as 1888, by the County Courts Act, it affirmed and sanctioned that method of procedure, and no one, as far as I am aware, has complained that any hardship has occurred or any one has been unfairly punished for assaults on bailiffs, or interfering with or insulting them. Nothing has been said in the course of the Debate by hon. Members to show that they desire any trial by jury or any appeal in the ordinary cases of debt dealt with by the County Court. Their own Amendment shows that the jury that is asked for and the appeal desired are confined to proceedings of a criminal character arising out of claims for tithe rent-charge.

MR. T. M. HEALY (Longford, N.): Any other Amendment would be out of order.

*SIR M. HICKS BEACH: Then why should we make a difference in this case? Why should we take from the power of the County Court Judge to protect his own officers and himself? The reason why we propose to give the officer of the County Court greater protection than is given to the bailiff under the present law is because now the bailiff is merely an agent of the tithe owner, but under the Bill he is an officer of the County Court, and is carrying out a decree of a Court of Law, made after hearing both sides. Therefore I submit to this House, as I submitted the other day to the Committee, that the bailiff is entitled to protection in carrying out the decree of the Court in cases of tithe rent-charge as in other cases. We do not propose to give him one whit more. There is no difference made between a Welshman who refuses to pay and a Cornishman. It is intended by the Government that this Bill shall make the law in this respect absolutely identical throughout England and Wales. I hope that I have shown myself willing to meet any reasonable wishes or arguments or proposals which have been put forward by hon. Members opposite, but I cannot consent to place the persons who attack, insult, or obstruct the Court bailiffs in Wales who are engaged in the recovery of tithe rent-charge in a better position than would be occupied by persons who do the same things when any other debt is sought to be recovered. On these grounds, therefore, I must ask the House to reject this clause.

(9.48.) MR. ILLINGWORTH (Bradford, W.): I am sorry the right hon. Gentleman has treated this question in such a technical manner. None of us have occasion to doubt that in the discharge of their ordinary duties the County Court Judges act with absolute impartiality, and are above suspicion, but does the right hon. Gentleman for a moment imagine that the difficulties that will arise under this Bill will partake of the character of an ordinary debt? Unfortunately he has the sentiment of a whole nation against the scheme of the Government. The object of the Government is by this process to make the exaction of tithe a little less difficult and a little less odious to the Welsh people. I believe the whole scheme of the Government will be a failure. I believe the Welsh people are infinitely too well instructed upon the change that is proposed by this measure to in any degree make their objection to the exaction any less than it has been in the past. But, on the other hand, what is the position of the County Court Judges? The right hon. Gentleman cannot deny that in Wales, as throughout Great Britain, nine out of every ten of these officials are Conservatives, and they cannot altogether divest themselves of political and religious bias in the discharge of their judicial duties. If the purpose of the Bill is to make the Established Church in Wales more acceptable to the Welsh people, is the right hon. Gentleman taking the right course; is he likely to appease ecclesiastical feeling and prejudice in Wales by refusing trial by jury to a man who in a moment of irritation and from strong religious conviction may have thrown some difficulty in the way of the County Court bailiff? The right hon. Gentleman would be screening the Welsh County Court Judge from a very odious duty by casting upon a jury the obligation of deciding the guilt or innocence of a man charged with interfering with the County Court officer. I have a strong belief in the value of trial by jury. If there is any feeling on one side it is sure to be counteracted by feeling on the other, and you never will be able to satisfy the strong convictions of the people as to these exactions by the jurisdiction of a single individual. Nothing precipitated the final abolition of the Church rates so effectually as the sending to prison of one or two men who conscientiously objected to the legal exaction. For the same reason I would advise the right hon. Gentleman in the interest of the Established Church in Wales to show some consideration to people who in a moment of irritation may go further than they are entitled to go by allowing them trial by jury. If this demand is refused I am sure the right hon. Gentleman will find that he has not been well advised in his refusal.

(9.53.) MR. T. M. HEALY: I was somewhat surprised to find the right hon. Gentleman confine himself strictly to one single branch of the question. As a matter of fact, the Bill contains four means of punishment of those who obstruct the County Court officials. First, a man may be fined, and from that there is no appeal; secondly, he may be imprisoned, and from that there is an appeal; thirdly, he may be bound over to keep the peace, and from that there is no appeal; and, fourthly, he may be sent to prison for contempt of Court, and from that there is no appeal. So that now you are putting into the hands of the Welsh parsons or the Welsh tithe owners a scourge with four thongs to it, and except in one case out of the four the Welsh people will have no appeal from the punishment inflicted on them by Tory magistrates and Conservative County Court Judges. Is it, then, fair of the right hon. Gentleman the President of the Board of Trade—whose courtesy we are all anxious to acknowledge—to single out the exceptional case of the County Court bailiff, and to say—"In this case we are only doing what we do

in all other similar cases under County Court procedure?" I would remind the Welsh Members of this—that in this particular form of procedure the Welsh parsons are taking a leaf out of the book of the Irish landlords. The Government say they are only allowing the County Court to collect tithe in place of requiring the tithe owner to collect it himself. They are doing that, no doubt, and that is exactly what the Irish landlords do when they put their estates in chancery. It is a common dodge of theirs, for trespass or making a wry face at an agent becomes not an offence against the landlord but a contempt of Court, and is visited with the severest pains and penalties. And imprisonment for contempt, remember, is bounded by no limit of time, although the House of Lords in 1883 made an abortive attempt to limit such imprisonment to three months. The Welsh people are smarting under exactly the same grievance that the people of Ireland used to smart under, and are addressing the same unavailing appeals to the great Anglo-Saxon race; and what makes their religious grievance all the stronger is, forsooth, the declaration of the Government that they are not legislating for Wales. If it had not been for the struggle in Wales this Bill would never have been introduced. Is it Yorkshire or Cornwall or Northumberland that has made this Bill a necessity? No, it is Wales. And now I come to consider the other three branches of the question. Under this Bill there will be the power of imprisonment in default of bail. Take the case of a Welsh Nonconformist minister—"some village Hampden" who is breasting the "tyrant of his fields," and conducting a Methodist chapel, in the endeavour to keep the people solid about him—a Welsh-speaking minister who, complaining of what he believes to be an injustice to his religion, says, "I will not bow the knee to Baal; I will refuse to pay tithe to a foreign and an alien Church. Having refused to pay tithe, and my people having refused, I will attend the auction, or sheriff's sale, or tithe execution," or whatever is the Welsh phrase for such a process. Well, he attends that sale, and, in the opinion of the County Court Judge, he is taking part in an unlawful assembly, because every duty which a few men endeavour to discharge against the technicalities of the law is liable to be construed into taking part in an illegal assembly. If in Ireland a man sympathises with the oppressed peasantry, he takes part in an illegal assembly. If in Wales he sympathises with the people in their quarrel with an alien Church, teaching a religion they do not profess, he takes part in an illegal assembly. So the Welsh Nonconformist minister is brought before the Magistrates. We have seen specimens of these Magistrates in this House. There was one who represented Carnarvonshire, but, as he has gone, I will not refer to him personally. The measure he proposed was that the Irish people should be flogged by the order of a Removable Magistrate. "Oh, but," he said, "I only mean the moonlighters." That, I suppose, will be the sort of Magistrate by whom this law would have to be administered. Probably when the Welsh minister was brought up for the crime of sympathising with his flock, the Magistrate might say, "I do not wish to inflict punishment on you, because you are a respectable gentleman. I will, therefore, only bind you over to be of good behaviour and to keep the peace." From this there will be no appeal, and the result will probably be that the Welsh minister will go to gaol for his sympathy with his own people. Thus, for the first time, you will have a Welsh minister in prison; but when you had the Rev. Bell-Cox and other Anglican priests in prison you were not so very happy. In your processes against the Rev. Mr. Mackonochie and other priests who adopted Puseyite practices, the English people were not particularly happy in imposing the penalties required by Act of Parliament. But these men, at any rate, affected to belong to the Church of England. They broke its rubrics, however, and you were bound to punish them. The same thing would happen in Wales. The Nonconformist ministers would be imprisoned, and would have no right of appeal. I ask, is that a tolerable state of things? I should have thought it was only suited to the backwoods of Connemara. I should have thought it was only where an Irish priest was to have been imprisoned that you would have refused the right of appeal. But it would seem that the law is to be worse in England and Wales than it is in Ireland, because in Ireland whenever a fine of over 40s. is inflicted we have an appeal, outside the Coercion Act. Will this be so in Wales? It will not. As I have already shown, the rope by which the Welsh people are to be bound is composed of four strands, and only in one case out of four is there any chance of temporarily cutting that rope by means of an appeal. Where imprisonment is to be inflicted the right of appeal is in a worse condition than in Ireland, where we only have an appeal in cases of more than a month's imprisonment. No Englishman can suffer a day's or even an hour's imprisonment without the right of appeal. The case of the Welsh people is most unhappy. They are spread over a number of counties into which, to a large extent, publicity does not penetrate. They are almost even more isolated from the centre of what is called civilization than the people of Connaught or Donegal. They speak a language which you do not understand, and you will have your new law administered, not under circumstances where what goes on is shouted from the house-tops, where everybody may hear, but in little corners of the Welsh mountains, where the inhabitants are shut out from the press and from all acquaintance with the external world. Is this a desirable state of things? Who are to be the judges of these people? Will they be Nonconformists or Wesleyans like the mass of the community. No; almost to a man they belong to the Established Church. ["No, no."] Well, I speak of the mass of these Magistrates. There may be such a thing as a white blackbird here and there; but if you take the entire Bench of Welsh Magistrates it will be found that they are a Bench altogether out of sympathy with the Welsh people. On all these grounds I say the Welsh Members are entitled to the hearty sympathy of this House. They have shown a patience far greater than their fellow-Representatives from Ireland. They have granted the right hon. Gentleman the most extraordinary facilities for proceeding with this measure, as was shown on Tuesday night. I agree that it was a return for the courtesy which the right hon. Gentleman had extended to them, and that therefore he deserved it, and consequently, although a single voice would have barred the stage that was allowed to be taken, I would not, under the circumstances, have raised my voice for that purpose. But the right hon. Gentleman should remember that in this business we who address remonstrances from Ireland are absolutely desperate. He may say that this is no affair of ours, and if I were to say it was I should be jeered by hon. Gentlemen opposite. Still, I do beg of him to extend to these poor Welsh districts some chance of ensuring justice. What is it that is asked? It is not a great deal. It simply amounts to an appeal from a Tory Magistrate to a Tory County Court Judge. I do not say an appeal from Philip drunk to Philip sober, but an appeal from Philip unlearned to Philip with a wig on. Is this an unreasonable demand to make on behalf of the Welsh Principality? I say it is eminently reasonable. Why do you refuse to give the appeal which is asked for, merely to bolster up in Wales an alien Church? If this were a case of imposing the law which we hear so much about in Ireland, if it were a case of enforcing the law to the common every day circumstances of life, it it dealt with railways, trade, or commerce, or any of the ordinary matters of out-door business, this Bill would either never have been brought in, or if it had been the feeling which it has excited would never have been in existence. Why is so much feeling excited by this measure? Why are the English Members struggling over this Bill, as they would not struggle in the case of a Recovery of Debt Bill? Is it because they are influenced by one of the deepest sentiments of human nature, and endeavouring to maintain one of the dearest objects of our lives? We all know that in Wales those questions which arouse religious discontent are those on which the keenest and bitterest feelings are entertained. I say that the Government are making a profound mistake, and the next year or the year after they will probably recognise this. The English people view with calmness the imprisonment of one or of a score of the Roman Catholic priests of Ireland; but they will not view with calmness the imprisonment of a score of Nonconformist ministers, especially if that imprisonment is inflicted because they have resisted the payment of tithe to an alien ministry. In my opinion, you are inflicting one of the greatest blows that could be aimed at the Church Establishment in Wales by refusing the Welsh people even a buffer between their landlord Magistrates and those who may be acting in opposition to the law. We must all deprecate the exciting scenes that are constantly taking place at these tithe executions. We know that the law will ultimately get the better of the poor people who resist it, although the law may be a bad one; but we also know that the masses of the people will most assuredly in the ultimate result get the better of a bad law. When you consider the badness of the law, when you find that scores and scores of the Welsh people will be sent to gaol for that which under present circumstances would not involve imprisonment, it is useless for the Government to say they are only availing themselves of the existing procedure. You might as well say it would be profitable gardening to graft cherries on to cabbage plants. You are availing yourselves of the existing procedure for purposes for which the existing procedure was never intended. This was the grievance of the Irish people when the Coercion Act was passed. A good old common law everybody loves, because it is for the protection of all men. Such is our ordinary Petty Session Law, but when you graft new processes on that law, and avail yourselves of a mode of procedure which arouses men's passions and excites their strongest feelings against your action, you are doing that which is impolitic in itself, and deserving of the just condemnation of this House. You are now in addition giving power to imprison for contempt of Court. Instead of a fine for assault, or at the most six months' imprisonment, you may have not six but 60 months' imprisonment availed of for the purposes of this Bill. I appeal to the right hon. Gentleman not to impose this new grievance upon the people of Wales. Let me remind the right hon. Gentleman that he has accepted the Amendment of the hon. Member for North St. Pancras which appears on the Paper.

*SIR M. HICKS BEACH: I do not understand what the hon. and learned Gentleman means?

MR. T. M. HEALY: It is out of order to discuss it, but this is it:—

> "Provided that where the lands, out of which any tithe rent-charge issues, are occupied by several occupiers who have contracted to pay the tithe rent-charge, any of such occupiers shall be liable only to pay such proportion of the sum paid by the owner of the lands on account of such tithe rent-charge as the rateable value of the lands occupied by him bears to the rateable value of the whole of the lands out of which the tithe rent-charge issues."

*SIR M. HICKS BEACH: I explained that on Monday. The hon. and learned Gentleman means the hon. Member for Peterborough.

MR. T. M. HEALY: Well, if the Government distrust juries on the ground that these are political cases, that is a question wholly separable and apart from the question of appeal. This Amendment involves the right of appeal from the Local Bench to the County Court, yet the noble Lord the Member for Darwen thinks he has disposed of it when he refers to that part of it dealing with the question of trial by jury. On the whole, I think the action of the Government on this matter is out of keeping with their general tone and policy throughout this Bill. I fully recognise that this Tithe Bill is far superior to its predecessors, but that only shows the value of discussion. It is possible if we killed the Bill of 1891 we might have a still better one in 1892. Still, we must not look the gift-horse in the mouth, and we must admit that the Bill of 1891 is superior to the Bills of former years. Speaking as an Imperial Member of this House, my anxiety is that if you pass this Bill it should be in a form to cause as little rankling and soreness in the breasts of the Welsh Members as possible. I appeal to the right hon. Gentleman, by his amenability, to accept this Amendment, which asks after all only for a small matter.

(10.23.) MR. LABOUCHERE (Northampton): I disagree with my hon. Friend when he says that the policy of Her Majesty's Government in this Bill is not the same as in every Bill. Whenever it comes to the question of trusting the people, no matter what the Bill may be, you find the Government absolutely refusing to trust them. We know perfectly well that trial by jury is being suppressed in Ireland, and I always suspected that they would make the same attempt in England. It is because they have been successful in Ireland, and because the people of England and Wales have not risen as one man to protest against the conduct of the Government in Ireland, that the same system is now being applied in this country. What is this offence which is to be punished? We know that the vast majority of the Welsh people conscientiously believe that they ought not to pay tithes so long as they are not devoted to the proper use. They do not object to pay tithes provided they are devoted to some national purpose; but they do object to paying tithes for an alien Church. Suppose the Government proposed that we in England should pay tithe to the Roman Catholic Church. It would be an outrage. Yet I cannot abominate the Catholic Church—I am speaking theocally—more than the Welsh people abominate the English Church. There is generally a strong antagonism in Wales to the National Church. Suppose some respectable Nonconformist minister, from conscientious motives, refuses to pay tithes, he is subjected to a distress, and should he even raise his hands and say "Avast!" when the bailiff appeared, he would be deemed guilty of constructive assault. Or, supposing some old man, coming that way, raised his stick, even accidentally, he too would be held to have committed a constructive assault. Before whom are the offenders brought? In the first place the County Court Judge. And by whom are the County Court Judges appointed? A politician, respected by hon. Gentlemen opposite, and respected on this side of the House. Still, the Lord Chancellor is a politician. Now I happen to know something of a County Court Judge in the north of Wales, appointed by the present Lord Chancellor. That County Court Judge had never held a brief in his life, and probably knew less of the law than I do. He was a friend of the Lord Chancellor, and that covered a multitude of—ignorance. This

Judge had before him three jurymen who, when he asked them could they speak English, answered "No." That was about all they did know of English. The Judge remarked, "You said 'No' when I asked whether you could speak English. Now you shall sit through the case, whether you understand it or not." Here you have these County Court Judges in Wales and England who cannot refuse to have a case tried by a jury if the debt is above £5, yet you actually say that they can send men to prison for constructive assault without giving them the option of a jury. Now, who are the others? The County Magistrates, in whom I said the other day I have little confidence. I do not believe in Magistrates who are appointed by the Lord Lieutenant, because in almost every case these Lord Lieutenants are Peers, and it is practically giving the right to the House of Peers to select the judges of the country, and to give those judges power and authority to send men to prison. We know perfectly well that the great majority of the Magistrates are Conservative. Those who are not are Moderate Liberals, which to my mind is almost as bad as being a Conservative. There are hardly any Radicals amongst them, whilst in Wales the vast mass of the population—thank God!—are good and stalwart Radicals. What is asked by the Welsh? I am astonished at their moderation, and if this clause passes I shall move an Amendment to enlarge its scope. The Welsh simply ask that from two of these Magistrates there shall be an appeal to five or six—that if in a Court of Summary Jurisdiction a defendant be convicted, he shall have the right to appeal to Quarter Sessions. Do you know—the House does know perfectly well—that if a liquor trafficker is deprived of his licence by a certain number of Magistrates he may go to a Superior Court, and has a right to appeal. Thus you give this liquor trafficer a right to appeal, which you refuse to honest, conscientious Nonconformists. An hon. Friend said to me juat now, "There would be right to a jury;" but that is not so for appeals from Magistrates to Quarter Sessions. There is no jury. It is an appeal from Magistrates to Magistrates, and that is why I say that the Welsh are exceedingly moderate, and why, if this clause passes, I shall move the insertion of some words which will give the right to appeal not only to the Magistrates at Quarter Sessions, but, if desired by the defendant, to a jury. What is the sole reason we are told for this refusal? It is that it is a political question. What are the County Court Judges? I have shown what they are. They are essentially political appointments. What are the Magistrates? They are also essentially political appointments, We know that in England the magistracy in the counties has been stuffed with Conservatives. We know perfectly well that the Liberals do not have their fair share in the magistracy. We know, moreover, that the magistrates are taken from a particular class—from the landowners of this country. We know that there is the greatest antagonism in Wales between the landowners and the other classes of the community—that the landowners belong to one Church and are in the main Conservative, and that the people are in the main Radicals. There is the strongest political and religious antagonism, and I really can only call it effrontery in Her Majesty's Ministers not to give the right to a trial before a jury of 12 men honestly chosen from the community. Because the matter is a political one they place it in the hands of the County Court Judges, who are politically opposed to those they have to try. You might just as well tell me that you placed the trial of political offences in Ireland in the hands of Resident Magistrates because they have no politics. We know that would be pure nonsense. We know also that when 12 men, good and true, are sworn, they will give a just decision. I shall always support any proposal which has for its object an enlargement of the powers of juries. We now only ask that the Welsh shall be tried by their peers. It is an injustice to hand them over to the Magistrates as you propose, but I am not surprised at that, for I never knew you to bring in a single Bill which was not based upon injustice.

*(10.35.) Mr. W. P. MORGAN (Merthyr Tydvil): I think we have a right to expect from the Attorney General something in the shape of consistent legislation. But his present

attitude is altogether inconsistent. We are to be allowed the assistance of a jury in Wales in small matters, but in cases in which the liberty of the Welsh subject is at stake no jury is to assist the County Court Judge in arriving at a right and proper conclusion. I thought that trial by jury was so appreciated in this country as to be adopted on all conceivable occasions, but in the case of tithe disputes we are to have the 48th section of the County Court Act applied to us in order to punish those who may obstruct the bailiff in the execution of his duty. The powers given under this section have prevailed for many a year, but hitherto have only been enforced in such a case as that in which a bailiff has been obstructed in collecting a debt due upon an unmistakable contract—a debt to which no sentiment attached. But this is a totally different matter to that which we are now considering. The sentiment of feelings of the Welsh people are outraged by the collection of tithes for the benefit and maintenance of a Church in which they never worship. We believe that if this clause is carried the County Court Judges will have to enforce it so often that the ordinary business of their Courts will have to be neglected. Every man who expresses an opinion adverse to a learned County Court Judge will be liable to be tried for contempt. That is a phase of the question on which I should like to say a few words. It has been said by some of our most eminent lawyers that a Judge ought not to be the tribunal to judge whether or not contempt has been committed in his Court. It does seem to be an anomaly that if a witness misbehaves himself in Court the Judge should be called upon to decide upon the question which has arisen between the witness and himself. But this is a thing you are now proposing to perpetuate by Act of Parliament, and notwithstanding the absurdity of giving a jury in cases in which the claim may only be 5s., you will not give a man the same privilege when his liberty is at stake. In the colonies, where I have lived for over 20 years, such a Bill as this would be looked upon as a most patchy piece of legislation. The Attorney General, who is in part responsible for it, may be a distinguished lawyer, but he certainly is not a consistent statesman.

(10.41.) MR. STOREY (Sunderland): I cannot but think that my hon. Friends near me are a little unreasonable in asking the Government to agree to this Amendment. The object of the Government in this Bill is to make the collection of tithe easier for the tithe owner in Wales, and if this Amendment is carried the existing state of things will continue. We wish the present state of things to continue, but the Government, from their own point of view, are right in not accepting the Amendment, because if it were passed they would not effect their object. Indeed, as an independent English Member of Parliament, I think they would be acting very stupidly if they consented to this operative clause in their Bill being amended in this direction. I repeat that I want the present state of things to continue, but I will not join in this appeal to the Government. We know that they mean to make the collection of tithe easy for the tithe owners in Wales, and if they do not pass the clause in its present shape they will not effect their object. The right hon. Gentleman who has been so willing to give way in other matters is strong in resisting this. He says he will not consent to the Court official being put in a worse position when collecting tithe than he is when performing his other duties. Very well, I do not know that he is far out from his point of view. But he also says there are no complaints as to the action of the County Court Judges under this 48th section of the County Court Act. How does he know that? I know of cases in many districts in which cause for grave complaint has been given.

*SIR M. HICKS BEACH: Will the hon. Member excuse me? My argument was this: That in 1888 the County Court Procedure Act was revised, and if there had been any real complaint at that time it surely would have been raised by Amendments. At any rate, it would have found utterance in the speeches of some of the hon. Members who have spoken in this Debate.

MR. STOREY: My point is this: The cases of complaint are at present individual, and do not arouse any general feeling. But when this Act becomes law you will create a vast body of cases, which will give rise to a widespread feeling I will ask the Government, in two or three sentences, to consider what they are going to do. They are going, in the first place, to leave the County Court Judge uncontrolled to deal with cases of contempt of Court and resistance to the law. In political cases that is a dangerous course, and has always ended in mischief and the repeal of the evil law. I am not going to press the Government to alter their position. They must carry out their bargain with the Welsh clergy, although the result may be much friction, trouble, annoyance, and agitation. In the next place, they are going to refuse to the man who comes before the Magistrates the right of appeal. My hon. Friend who last spoke said this was merely an appeal from two Magistrates to five or six Magistrates. But it is more than that; it is an appeal from Magistrates living on the spot, and personally interested, perhaps, in the social conflict, to a wider body of Magistrates not specially interested in the case. How the Government can honestly or decently refuse that I cannot imagine. They are, no doubt, paying to the parsons the price agreed upon for their support; but this clause will lead to an agitation which will probably terminate, first the Government, and then this Bill.

(10.50.) MR. CONYBEARE (Cornwall, Camborne): I am induced by pure Conservative instincts to say a few words in support of the Amendment of my hon. Friend. We in this country have been educated in the belief that the right of trial by jury is essentially the prerogative and privilege of British citizens. But this measure only carries out the policy the Government have been systematically pursuing, first in Ireland and now in this country, for the purpose of destroying the right of trial by jury. That right has gone in Ireland, and unless we make a stand now we shall lose it in England. This clause shows how exceedingly infectious is the disease of coercion. Having once seized upon the mind of the Government who allowed it to become rampant in Ireland, it is now crossing St. George's Channel, and will spread with great virulence over England. There is another reason why I think that it is our bounden duty to insist on passing this Amendment, and that is a reason from a Radical standpoint. I am anxious to see the system of trial by jury vastly extended by legislation. Unfortunately, during the past quarter of a century it has been considerably reduced. Numerous offences have been classified under the Summary Jurisdiction Acts; and offenders under those Acts cannot now be tried by their peers, but they are tried before men who, if not their hereditary enemies, cannot, at any rate, be said to be strongly biased in their favour. Like the Member for Northampton, I have absolutely no confidence in the Magistrates. In cases where politics are at stake it is impossible for a poor man to get justice at the hands of the landlord and Clerical class, who are placed on the Bench by those political partisans—the Lord Chancellor and the Lord Lieutenant. Why cannot the Government give fair play to poor men? They have deliberately set up the plea that in consequence of political bias it is desirable these cases should be withdrawn from a jury and placed entirely in the hands of the Magistrates. But it is entirely for that reason that I support the Amendment, because we know how biased are the Magistrates. If you look at the whole machinery for the administration of justice in this country it becomes apparent that from the fountain head down to the petty Magistrate every one engaged in dispensing justice is out of sympathy with the poorer classes. There are, indeed, in this House very few men who can be said to be in direct sympathy with the class to whom I am referring—the rustic labourers of this country. The First Lord of the Treasury gave expression yesterday to a sentiment which is peculiarly applicable to the present case. He pleaded in favour of respect being shown to prejudice, even if the prejudice is unreasonable. You have conscientious religious prejudice in connection with the payment of tithe, and if the plea of the right hon. Gentleman in favour of respect to the insane, foolish, and unreasonable prejudice of certain persons in England is to hold good, surely we have a right to insist that respect should be had to prejudice in the matter of paying tithe to an alien Church. If you are not going to take into account such deeply-rooted feeling as the unanimous evidence of the Representatives of Wales has made abundantly clear during this Debate, the least you can do is to introduce in some form or another a conscience clause, whereby the conscientious and religious prejudices of the people of Wales may be respected. It has been pointed out that in many cases County Court Judges in Wales are men who do not possess the necessary qualification for the position. In more than one case County Court Judges in Wales have shown themselves unfit for their positions, not merely by their ignorance of the language of the majority of the people amongst whom they are placed, but by wilfully insulting the character of the people by openly declaring that one cannot trust a Welsh jury: that it is impossible to find a Welsh jury that will not be guilty of perjury. [Mr. J. R. KELLY: Name.] No, I will not give names, because I have no wish to rake up old stories. But the facts are within my recollection, and I have a right to rely upon them. I do not go so far as to say that the County Court Judges were in such cases to be visited with very strong censure, because being ignorant of the language of the people whom they thus condemned they were probably the victims of a wrong impression. I shall support the Amendment before the House. I conceive that as the right of trial by jury is threatened by the action of the Government it is our duty as Englishmen to defend our privilege and rights against any attack even from the Conservative side of the House.

(11.5.) MR. F. S. STEVENSON (Suffolk, Eye): This is more or less an exclusively Welsh Amendment, and, therefore, it seems to me one on which English Members can pronounce an opinion of an impartial character. The discussion this evening, not only on this Bill, but also on the Motion of the right hon. Gentleman the Member for the Isle of Thanet (Mr. J. Lowther), has tended very strongly in the direction of showing the necessity for a Court of Appeal. The gist of this Amendment is that, in some form or another, the light of public opinion should be brought to bear upon the decisions at which the County Court Judges may arrive with regard to the disputes that may occur between tithe owners and tithepayers in Wales. There is no serious intention of disputing the impartiality of the County Court Judges in Wales; but instances have been adduced in which the decisions arrived at have not been, in the eyes of the people of the Principality, of a satisfactory nature. It occurs to me to be a matter of prime necessity that, whatever be the decision arrived at, it should have the complete approval of the persons mainly interested, and that is the reason why I support the Amendment of my hon. Friend. The complaints urged in this country against County Court Judges have related rather to matters of detail, such as unpunctuality or want of technical knowledge; but in Wales the complaints are of a more grave character, and on that ground I think it is necessary there should be an appeal against the decisions the Welsh County Court Judges arrive at.

(11.10.) The House divided:—Ayes 136; Noes 163.—(Div. List, No. 35.)

*(11.25.) MR. S. T. EVANS: I beg to move the clause standing in my name respecting the limitation of penalties. I think this clause is more important even than that on which the House has just divided, dealing as it does with the power of the County Court to inflict imprisonment under the new procedure respecting the collection of tithe. There was some discussion on the other stages of the Bill as to the reasons for which imprisonment might be inflicted. It has already been conceded by the Government that there shall be no imprisonment merely for non-payment, and I think we are entitled to hear what are the cases in which a County Court can impose a penalty by way of imprisonment. The chief object of the Bill is to shift the liability for the payment of tithe from the occupier to the owner. That being so, the House ought to take care that there shall be no greater power of imprisonment than there is under the present process. I propose that the cases in which imprisonment can be imposed shall be limited to those specified in Section 48 of the County Courts Act, 1888.

The first is that of an assault upon the County Court bailiff. There is no one on this side of the House who will argue that a person who assaults a bailiff should not be amenable to justice. The other case is that of rescue. Rescue savours of contempt, and I believe such a case cannot arise until the goods have been actually distrained upon. The Attorney General said in Committee that if a bailiff was sent to execute the order of the Court and the tithepayer barred his house or was guilty of violence he was amenable to the ordinary law. I want to know to what ordinary law the tithepayer is now amenable if he bars his house? Moreover, the President of the Board of Trade has said to-night, supposing a bailiff is insulted or obstructed, must not the offender be made amenable? But is he going to enable a County Court Judge to inflict imprisonment under the pretext of contempt of Court on a person who merely insults a bailiff? What is an insult to a bailiff? My hon. Friend near me suggests that merely holding a fist up may be construed into an insult. The singing of a song in which the hero of the anti-tithe war has prominent mention may be considered an insult. What is obstruction? A bailiff going to levy distraint may find a barn-door locked against him. Is the right hon. Gentleman going to allow the imposition of the penalty of imprisonment for offences which may be construed by the Court to mean anything or everything? For what purpose is the Government going to employ the power of imprisonment in the County Court? Is it to compel the people to contribute towards the support of an alien Church? I am not quite sure that the next thing will not be the power of imprisonment to enforce attendance at church. Who are the people who have been agitating for this Bill? The Bishops—I will call them the lobbying Bishops—of the Principality. Are these people who have the spiritual care of the Principality—these pure-minded gentlemen in lawn sleeves—are these the people to impose imprisonment on honest men for these so-called offences? We take credit for being a most peaceable and law-abiding people. My hon. and eloquent Friend the Member for Rhondda (Mr. Abrahams) has referred to the frequent presentation of white gloves at Welsh Assizes. If the Government are really going to oppose this clause and to permit extensive powers of imprisonment it will be a criminal act on their part, because it may goad the people of the Principality into acts of criminality. Do not let the Government imagine that to inflict imprisonment on the people will put down the agitation against the Church. There is sufficient spirit left in the people of Wales to induce them to go to gaol in support of their conscientious convictions. I really make an appeal to the supporters of the Church, the lovers of the Church on the other side of the House. We have no quarrel with the Church as a Church, and you love it as we do our Nonconformity, but I say if you wish to destroy altogether the influence of the Church of England in the Principality, a certain way to do it is to inflict imprisonment upon Nonconformists under this Bill. There is a claim made that the old Mother Church is getting back to its large and accommodating bosom many people who left it in days gone by. You are anxious to keep up the Establishment. Very well. We do not agree on this point. We think it would be better all round if the Establishment came to an end. But do you think your proposals will support the Establishment? The effect of the first imprisonment under this new tithe measure upon the connection between Church and State will be like the effect of dynamite exploded under a building. Your anxiety is to restore the people to the bosom of the Church. Is this the way to do it? You have, by yonr anti-national conduct, lost hold of the people. Broadly speaking, your churches and your cathedrals in the Principality are empty. You have in past times repelled the people and driven them to build chapels of their own. Let me tell the House a little personal experience to illustrate my point. On one occasion last year I visited Bangor Cathedral. It was a festival day of the Church of England. The Dean was there, two or three Canons, major and minor, were there, and the whole of the choir in attendance. But to whom, and for whom, was all this ministering? The congregation consisted of eight persons—five old women and two men besides myself—who were visitors. This was on a festival of the Church, and I say then in a general sense your Cathedrals are empty. Now, I have a hint from the Government that they cannot accept this clause, probably because it does not go far enough, and I make an offer to them which they may accept. They say that if the clause is accepted then the County Court will not have power of protecting its own dignity. Now, the 162nd section of the County Court Act has provided for committals for contempt in specified cases. They include wilful insult to the Judge, or the jury, or witnesses, the Registrar, bailiff, or any officer in Court, or wilfully obstructing such officer in going from or returning to the Court. I am willing to extend my clause in such a way as to give the Judge power to commit for contempt in the case of wilful insult offered in Court to the Judge, officer of the Court, or witness, but cannot accede to any proposal to give the Judge power to committal for an insult offered to an officer of the Court or witness in going to or coming from the Court, because it might be held that when an officer is despatched from the County Court office with a writ of distraint in his pocket against the goods of some honest Nonconformist he was on his way to or from the Court until he returned. Subject to this qualification, I will extend the clause to cases within the 162nd section of the County Court Act. The Government may expect considerable discussion upon this clause; and if they are not prepared to decide upon this offer now, I hope they will adjourn the Debate now to give themselves an opportunity of considering it. I can assure them this is a matter of the greatest importance to the Bill and to the Church, and in it we take the deepest interest.

New Clause (Limitation of Penalties,)—(*Mr. S. T. Evans*),—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(11.40.) SIR R. WEBSTER: I am extremely sorry the House should have listened to the speech we have just heard. The House knows perfectly well that, so far as I was entitled to do so, I ventured to pay tribute to the able and moderate way in which the hon. Member has conducted discussion throughout the proceedings upon this Bill, and I deeply regret that what I have previously said should be in any way contrary to the spirit in which the hon. Gentleman has now addressed the House. Speeches from hon. Gentlemen opposite have professed a desire for peace in the Principality, and an anxiety to smooth the working of this Act, but anything less calculated to assist toward that end than the speech we have just heard it is difficult to imagine. This is a question of what we may call an ordinary legal proceeding, and yet we are told that if the Government maintain the line which, as the hon. Member knows from previous discussions they are bound to maintain, they will be guilty of a criminal action, and will goad the people into acts of criminality. We all know perfectly well what that means. When the hon. Member uses this language, ignorant people who do not understand the rights and wrongs of the question as he does will appeal to such statements and such language as justification for acts that he himself admits will bring them within the Criminal Law. It is not possible for us to accept this clause for reasons which I am sorry to say I have explained on three occasions. The hon. Gentleman has been good enough to support his argument for the clause by reference to what I have said. I do not know from what he was quoting.

*MR. S. T. EVANS: From *Hansard.*

*SIR R. WEBSTER: What I said was if a man barred his house and with violence prevented a bailiff from doing his duty——

*MR. S. T. EVANS: No, the words are "if he bars his house and prevents a bailiff from doing his duty."

*SIR R. WEBSTER: If those are the words I used, and if they are so reported, I suppose I did, then I went too far. I ought not to have separated the act of violence from the barring of the house. The simple act of a man barring his door would certainly not be sufficient to justify arrest. No doubt I spoke as I am reported to have spoken, but I spoke carelessly. I am glad to explain that the idea in my mind was obstruction coupled with violence. If any statement of mine has induced hon. Members to think there is danger of arrest from the simple act of barring the door I unreservedly withdraw it, and explain that I meant obstruction coupled with violence. Now, what are the objections to this clause? My first objection is a serious one. The hon. Member has, it is true, proposed to extend this saving clause, this limitation clause, over certain parts of Section 162 of the County Court Act. That section protects the Registrar, bailiffs, and officers of the Court from insult. It is a strong argument against the clause as it stands, and against the limit of extension, that the hon. Member is willing to give up certain offences under that Section 162, but he would restrict that section without the shadow of reason and only with the suggestion that there is something different in connection with these proceedings as compared with others. Except that there is not a shadow of justification for the clause. Now in a sentence let me repeat what I have already said, but which has not received the slightest notice from hon. Members. These proceedings take place on the hypothesis in the Bill that the defendant who owes the tithe has been heard in Court, that he has had an opportunity of making his defence if he has any to make, and then, judgment being given, that judgment has the force of law. In the name of all that is fair, in the name of common sense, when proceedings have arrived thus far, what ground is there for making the distinction suggested? We do not know—I do not know—of any case where it would be necessary to put in a saving clause; but I absolutely decline to put in a saving clause, and for this reason: that it would indicate that cases in which the County Court Judge might impose penalties for non-compliance with the orders of the Court, were outside the cases mentioned in the County Court Act, and outside the well-known jurisdiction of the County Court. If there be a case in which for a violent act or a disturbance of order, or for that which is in fact a criminal offence, County Court Justices have now jurisdiction, then the Court will get no more by virtue of this Bill, and it would be wrong to impose a saving clause, a limitation or powers previously held. Earlier in the evening we heard the hon. Member for Northampton tell us of his extensive knowledge of law.

Mr. LABOUCHERE: Excuse me. I said, speaking of County Court Judges, that they knew less of law even that I did. That was not claiming much knowledge.

*Sir R. WEBSTER: I was not referring to that. I was referring to a passage in which the hon. Member laid down certain principles when he said that an old cripple, inadvertently raising his stick, might constructively be held guilty of an assault, and so might a man for the clenching of his fist. Well, I hope the hon. Member will take better advice before he again ventures to express a legal opinion in the House. He will not find a lawyer of the most limited experience to endorse such a contention as he has put forward. There is one point which I think supporters of this Amendment have completely overlooked. Is not the Court to have control over its own receiver? It is essential that he should be under the control of the Court, and it may be possible that a receiver may have to be punished.

*Mr. S. T. EVANS: May I be permitted to point out that Sub-section 3 of Section 2 deals with that.

*Sir R. WEBSTER: The hon. Member must pardon me. I am arguing against the clause he proposes to insert, and this clause runs—

> "The County Court shall not have power to impose any penalty either by way of fine, or imprisonment for non-compliance with, or disobedience to, any order, except in cases specified in Section 48 of the Act of 1888."

I am not arguing for the Bill as it stands—I am arguing against the clause. I have had, not from my own fault, to repeat arguments I have used against this contention on several occasions. I have listened to almost the whole of this Debate to-night, and I have absolutely heard nothing new in support of this contention. Hon. Members who have addressed the House to-night have admitted that this question has to some extent been discussed on previous clauses. I have stated my objections.

It is not possible to make the concession hon. Members wish, and for the House to insert the clause now would be for the House to stultify itself. It would be drawing a distinction between the orders of the Court on the admission of a suggestion that the Bill will be a temptation to criminality that does not arise. I do not believe any such wicked ideas will arise among the Welsh people, and the reading of history does not lead us to such a conclusion. I agree that the law-abiding character of the Welsh people is matter for gratification, and that there is less crime in Wales than in other parts of the Kingdom, but that goes against the clause and not in favour of it. This goading to criminality argument is one I am sure the House will not accept, and I ask the House to reject the clause.

(11.41.) SIR W. HARCOURT Anything more misplaced or unjustifiable than the lecture my hon. Friend has had from the Attorney General I have never heard in this House. We have, I think, all welcomed the ability, the temper, the moderation my hon. Friend has displayed through these discussions, and I do not think any man in so short a time has established so great a claim upon the esteem of the House of Commons. In the course of this Debate we have been compelled to acknowledge the conciliatory disposition of the right hon. Gentleman the President of the Board of Trade; but we have no such acknowledgment to make to the Attorney General. Many Amendments have been grafted upon the Bill. Every one has been opposed by the Attorney General, and has afterwards been accepted by the President of the Board of Trade. The Attorney General has acted in a spirit of irritation and exasperation, and his speech is not calculated to do good to the Bill either in the House or in the country. I have never witnessed more unreasonable action than that of refusing to accept the Amendment before the House. The Attorney General admits that no case which ought to be included would be excluded by the Amendment, and yet refuses the Amendment. Such action shows that the Government are now addressing themselves to the discussion in a spirit with which we have not been treated before, except from the Attorney General. I protest against the speech of the hon. Gentleman, and against his conclusion, as tending to lead to exasperation in the administration of the Bill.

*(11.58.) MR. ABEL THOMAS (Carmarthen, E.): I venture to deny the assertion that the cases under this Bill are to be classed with ordinary County Court cases. These tithe cases never have been, and never will be, ordinary cases in any sense. The hon. and learned Gentleman says the Bill will not come into operation until judgment is given in the County Court; but that makes no difference to the freehold occupier in Wales, who will refuse to pay tithe. So far as he is concerned, the Bill comes into operation after the hearing and judgment, and when the judgment is proceeded upon by the bailiff being put in possession.

It being midnight, the Debate stood adjourned.

Debate to be resumed to-morrow.

MOTIONS.

LOCAL REGISTRATION OF TITHE (IRELAND) BILL.

On Motion of the Attorney General for Ireland, Bill to establish Local Registries of Titles to Land in Ireland, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 189.]

REGISTRATION OF ASSURANCES (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill to consolidate and amend the Laws relating to the Registration of Deeds and Judgments, and to provide for the Registration of other Assurances, Acts, and Matters affecting Land in Ireland, ordered to be brought in by Mr. Attorney-General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 190.]

INTERPRETATION (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill for further shortening the language used in Acts of Parliament relating to Ireland, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 191.]

GLASGOW AND SOUTH WESTERN AND OTHER RAILWAYS (WEEKLY-PAID SERVANTS

Return ordered—

"Of Weekly-paid Servants who were during the month of November, 1890, on duty on the Glasgow and South Western, North British, and Caledonian Railways for more than twelve hours at a time, or who, after being on duty more than twelve hours, were allowed to resume work with less than eight hours' rest, classified as follows:—

Name of Company.	Class of Servants.	Period.	Total number of each class of Servant in the employ of the Company.	Relating to Servants who were on duty more than twelve hours at a time.														Relating to Servants enumerated in Column No. 5, who, after being on duty more than twelve hours, were allowed to resume duty with less than eight hours' rest.															
				Number of Servants on duty more than twelve hours at a time.	Per-centage.	Number of instances of such duty exceeding twelve hours by—												Number of Servants so resuming duty.	Percentage.	Number of instances of duty having been so resumed after—													
						One hour.	Per-centage.	Two hours.	Daily per-centage.	Three hours.	Daily per-centage.	Four hours.	Daily per-centage.	Five hours.	Daily per-centage.	Six hours and upwards.	Daily per-centage.			One hours' rest.	Monthly per-centage.	Two hours' rest.	Monthly per-centage.	Three hours' rest.	Monthly per-centage.	Four hours' rest.	Monthly per-centage.	Five hours' rest.	Monthly per-centage.	Six hours' rest.	Monthly per-centage.	Seven hours' rest.	Monthly per-centage.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34

—(*Mr. Provand.*)

House adjourned at five minutes after Twelve o'clock

by Contract with H.M.'s Government. *An Asterisk at the commencement of a Speech indicates revision by the Member.*

HOUSE OF LORDS,

Friday, 6th February, 1891.

PHYSICAL EDUCATION IN ELEMENTARY SCHOOLS BILL. [H.L.]

A Bill for the promotion of physical education in Elementary Schools—Was presetend by the Lord Chaworth (*E. Meath*); read 1ª; and to be printed. (No. 30.)

CUSTODY OF CHILDREN BILL.

[H.L.] (No. 18.)

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."

*LORD MORRIS: My Lords, before we go into Committee I take the liberty of trespassing upon the time of the House. This is a Bill which anybody who reads it must see interferes with the ordinary parental right, a right which is not only recognised by the Common Law, but is founded upon the law of nature. However, from facts which have been brought before the House, as well as from a general consensus of opinion as I understand upon the subject, it is admitted that there is an evil which should be remedied, and that that right of parents should be controlled in consequence of its having been so much abused in many ways, upon which I do not intend to enter into detail. Those reasons were put forward very strongly upon the occasion upon which this Bill was sent to the Standing Committee last year. I would only suggest to your Lordships that the Common Law right of parents to the custody and control of their children should be interfered with only so far as it is found to be absolutely necessary; and, as I understood the remarks of the noble and learned Lord on the Woolsack, he said he would bring in a short Bill which would meet that admitted evil. My noble and learned Friend opposite (Lord Herschell) said that what was wanted was some power by which parents who were not proper persons to be entrusted with the care and keeping of their children should be dealt with, that some power should be vested in the Judges of the Court to refuse to deliver up children to parents who have proved themselves unfit to have the guardianship of their children. To that extent I agree, and I have no objection to the Bill. But the Bill, in my opinion, goes much further, and in a few minutes, by reference to its provisions, I shall explain why I think it goes much further. The Bill of the noble and learned Lord upon the Woolsack is substantially comprised in the 1st clause as it has come before the Standing Committee. That, in my opinion, until I hear something to alter it, meets the admitted evil, because it provides that if the Court

> "Is of opinion that the parent has abandoned or deserted the child, or that he has otherwise so conducted himself that the Court should refuse to enforce his right to the custody of the child, the Court may in its discretion decline to issue the writ or make the order."

That appears to me to entirely cover the admitted evil by providing the power which the noble and learned Lord opposite said should be vested in the Court, not to deliver up a child to a parent who has disentitled himself to the custody of the child. But in the Standing Committee two other clauses were added to the Bill as it was introduced by the noble and learned Lord on the Woolsack. One of those clauses has no connection with the subject except in so far as it may throw a difficulty by the imposition of a penalty in the way of a parent who otherwise has established, as he is entitled to show that he has a right to the custody of his child. Clause 2 proceeds upon the hypothesis that the Court has made an order, or is about to make an order, for the restoration of his child to a father who is otherwise properly entitled to its custody. The clause provides that—

> "If at the time of the application for a writ or order for the production of the child, the child is being brought up by another person, or is boarded out by the Guardians of a poor law union, the Court may in its discretion if it orders the child to be given up to the parent

—which can only be if the Court thinks the parent a proper person to have the custody—

> "further order that the parent shall pay to such person, or to the Guardians of such poor law union, the whole of the costs properly incurred in bringing up the child, or such portion thereof as shall seem to the Court to be just and reasonable, having regard to all the circumstances of the case.

The admitted evil already met by the non-delivery of a child to an unfit father does not require that clause. That is a clause introduced in order to throw a difficulty and to inflict a penalty, or it is an attempt to create a contract between a parent otherwise properly entitled to the custody of his child, and somebody who goes here under the name of "another person." This is really an attempt to extend the law of contract. If a person asks another to visit him at his house he cannot send in to his guest a bill when he goes away for the cost of his entertainment. As the old rule says, "That which was begun in courtesy cannot end in contract;" but here, according to this clause, what is begun in charity is to end in contract, and the person who is supposed to have been doing a good charitable action is to get back all his expenditure. This clause appears to me to be entirely unconnected with the purview of the Bill. It is a clause under the guise of protecting children from injury at the hands of improper and unfit parents to enable individuals and institutions supposed to have been acting from charitable and philanthropic motives to recover that which they could not recover by any process known to the law because there is no liability under such circumstances. Then the 3rd clause is either unnecessary or mischievous, or probably both. As I have said, as the 1st clause entirely covers the admitted evil and does what is required, what is the necessity for another clause? The object of the Bill, as enacted by the 1st section, is to give to the Court a discretionary power, because it directs that the Court shall, if it thinks fit, refuse to enforce the right of the parent; but this clause gives no power to the Court; on the contrary, it withdraws all power from the Court, and makes the office of the Judge to a great extent merely ministerial, for it provides that

> "Where a parent has abandoned or deserted his child or allowed his child to be brought up by another person at that person's expense for such a length of time and under such circumstances as to satisfy the Court that the parent was unmindful of his parental duties,"

the Court shall not order that child to be delivered up to the parent. Now, when the Court comes to the conclusion that the parent has been unmindful of his parental duties, whatever that may mean, on the hypothesis—for I am asuming that under the clause he is a fit and proper person, otherwise he would not be entitled to get the custody of his child—then what is the Court to do? The Court has no discretion. It shall not make an order for delivery of the child to the parent unless it is satisfied, that is, unless he is able to show that it is for the welfare of the child that he should have the guardianship. I suppose that he can benefit the child in some way in a material point of view in the world; that it would be actually a benefit to the child to be taken from the custody in which it is. That clause appears to me to be of a most dangerous character, going far beyond the evil which is complained of, or any reason which has been brought forward for altering the Common Law of the land. It does appear to me that when your Lordships are asked to interfere with a right of this sort, which is coeval with our very law, you should be very cautious in going beyond the absolute necessity of the case. If I have demonstrated, as I venture to think I have, that the necessity of the case is met by Clause 1, there is no necessity for Clause 2 (and I do not see that Clause 2 has any connection with the subject except indirectly), and Clause 3 goes far beyond it. The noble and learned Lord opposite is reported to have said, on the Second Reading of the Bill, that the only difficulty which arises in the matter is the religious difficulty; but I am not referring to anything connected with the religious aspect of the matter. I object to Clauses 2 and 3 as being out of the pur-view of the Bill and beyond the scope of Clause 1, which embodies and carries out the intention, and which would have amply met the evil which is admitted to exist.

Lord Morris

*LORD THRING: My Lords, I desire to say a few words in answer to the noble and learned Lord who has just spoken. I confess I cannot understand his fastidiousness about the feelings of such parents as the Bill deals with, and their Common Law right of parental control. What have we to deal with here? We have to deal with the control of drunken fathers and profligate mothers over children who have been saved from misery, degradation, and ruin, and have been properly brought up by charitable persons or institutions. What possible necessity can there be that such parents should exercise any control whatever? The noble and learned Lord says that the costs are intended to be a penalty. No doubt they are so intended. They are intended to be a penalty, and it is a just penalty too. Is it right or fair that a man should desert his child, abandon it in the streets, leave it to be brought up by other persons, and then come to the Court and say, "I am entitled by my parental right to the custody; give me back that child?" The least he can do, the very smallest measure by which he can attempt to atone for his wickedness, wickedness which might have had terrible consequences, is that he should be willing to pay something towards the cost of the maintenance and bringing up of his rescued child. Is it right or just, when an institution supported by charity, which renders the greatest possible service to the community in saving these children, has been for years at the cost and trouble of bringing them up that drunken and profligate parents are to be allowed to come and take them without paying even one penny towards their maintenance? If you like to call it a penalty, a penalty let it be; but I think it is one of the most righteous, one of the justest penalties that could be inflicted. So far as to Clause 2. Then, with regard to Clause 3, my noble and learned Friend says it is useless and against the Common Law. I do not think it is against the law. As the noble and learned Lord on the Woolsack has said, this is simply a clause inserted to give the children of the poor the same benefit as that now possessed by the children of the rich. I have only to make a child a ward in Chancery to-morrow, and everybody knows that the noble and learned Lord on the Woolsack will, in his character of Lord Chancellor, take care that that child shall not be delivered up to a parent who, in the language of this Bill, "has shown that he has been unmindful of his parental duties." This is not an entirely novel interference with parental rights of control. That interference took place in Shelley's case, and in innumerable other cases which have occurred in the Court of Chancery, in which the reason why the child was not given up was not always that the parent was profligate or dissolute, but simply that it was better for the welfare of the child that it should be removed from the custody of the parent. And what does this Bill do? It gives to the poorer children the same protection as that extended to the children of the rich—it gives to the institutions and noble people who are working for these children, claiming through the children themselves the same privileges as would be possessed if there were money settled upon them, and they were made wards of the Court of Chancery. It is out of my power to conceive how any noble Lord in this House should oppose the Bill as being opposed to the Common Law; for, as I have shown, it is strictly in accordance with the law in affording to children much needed protection, without which all efforts to save them may at any time be thrown away.

*LORD NORTON: My Lords: I cannot help thinking that if the noble Lord beside me (Lord Morris) has been too fastidious about this Bill as an interference with the right of parental control given by the Common Law, the noble and learned Lord who has just sat down goes as much too far in the other direction. He laughed at the fastidiousness of my noble Friend with regard to parental rights, upon the assumption that all the parents dealt with in the Bill are drunken. When parents so claim their children it will be the duty of the Court to distinguish between honest, if unfortunate, parents, and those who are not fit to have the custody of their children; and if the Judge is to look upon all these parents as drunken and profligate persons, he has already forestalled his conclusion, and must regard this Bill as a measure simply for preventing such children ever getting back into the hands of their parents. I confess myself that I look with the greatest suspicion upon any Bill of this sort, because I think it is too much the tendency at the present time to let the State undertake private and parental responsibilities; at the same time, I know very well and fully admit the necessity for the protection which it is the main object of the Bill to afford. It not infrequently happens that a child who has been brought up carefully in an industrial school, or some other public institution, and trained to a trade is taken back by the parents, and introduced again into a vicious life, and thus all the care and public money expended on the child has been thrown away. But the check against such an evil must be imposed in the most guarded manner, and I think the Bill should not go an inch further than is absolutely necessary in interfering with parental responsibility and control. I thinkwe ought to go into Committee, as we are all agreed upon the necessity for such a Bill, and the only question is as to the form in which it shall be passed.

*THE BISHOP OF CARLISLE: My Lords, I should like to say a few words before the subject drops. It strikes me that the difference which arises between the noble and learned Lord who spoke first and the noble Lords who followed him depends upon an article; one seems to have taken the definite article and the other the indefinite article. All the difficulties which have been suggested by the noble Lords who have spoken appear to me to rest upon the apparent reading of "a" instead of "the" in Clause 2. That clause runs thus—

> "If at the time of the application for a writ or order for the production of the child"—

not "any" child, but "the" child. "The" is interpreted and defined by Clause 1. The fact there referred to of the child having been deserted by worthless parents, who have shown themselves to be unfit to have the custody of the child, applies to Clause 2, as I understand it; and, therefore, all that has been said about courtesy not being capable of ending in contract appears to be disposed of by those words. Surely there can be no question of courtesy whatever here; it is a case of the most discourteous possible kind, if the term be permissible in such connection, namely, the abandonment and unkind treatment of the child. Now, if my view is right, that that idea runs through the whole of it, we have nothing to do with the possibility of injustice towards respectable parents, or with want of consideration for their parental rights. This I apprehend, and I shall be corrected if I am wrong, is a Bill which distinctly from end to end deals with parents who have proved themselves to be unworthy of being guardians of their own children; and if that is borne in mind, I venture to think the objections raised against the Bill altogether fall to the ground.

THE EARL OF MEATH: The noble and learned Lord on the other side of the House who is a distinguished countryman of mine has always shown himself a great supporter of law and order, and I have looked up to him as one who has always supported the honest and the just and the upright man in his own country, while his hand was always found raised against the dishonest and the cruel and the evil-doers. I cannot understand why the noble Lord should, upon this particular occasion, have accepted, as it were, a brief from the drunken and disreputable parents, because it is altogether contrary to his usual practice, and I earnestly hope your Lordships will give no support to the objections he has raised. But he goes on to say, that in taking charge of these children the people who do so are acting exactly as the host does who invites you or I to his house, and who would have no right to send us in a bill because we are thus entertained. I perfectly agree with the noble and learned Lord if that were the case, but I do not think it is the case as regards these children. As a rule, the class of children the Bill is intended to deal with are children who have been thrown helpless on the streets, and wickedly deserted by their parents, and who are taken by the hand by benevolent persons or by charitable institutions; and I see no hardship whatever in making such parents, where it is possible to do so, refund to those benevolent individuals or charitable institutions at least a portion of the money that has been expended on the care and training of their children. If all parents were honest and just, kindly and true, towards their children, there would, of course, be no reason for bringing in a Bill of this sort; but unfortunately we, as legislators, have to look at the world as it is. We all know that there is a section of the population, numerically large, though comparatively perhaps but a small section, who as parents do neglect their children. It is well known to all your Lordships that there is a certain number of parents who treat their children cruelly, neglect and desert them. I was very pleased to hear from my noble Friend (Lord Norton) that he agrees in the necessity for the measure, in so far as Industrial Schools are concerned. He acknowledged that children are taken from Industrial Schools by worthless parents, and in many cases relapse into vice. I know that to be the fact. I was told a short time since by the manager of one of these schools that no fewer than one-fourth of the children who go back to their parents relapse; whereas only 1 in 20 relapse of those who are placed out by the Industrial Schools, and are taken care of. I need not point out how great the difference is between one-fourth and one-twentieth. I hope, as the noble Lord is himself acquainted with the fact that in the case of Industrial Schools there is an evil to be remedied, he will not oppose the Bill which the noble and learned Lord on the Woolsack has brought in for that purpose. It has been very truly said that if we do not take care to form these children the world will deform them. If we do not take them up they will be disfigured and degraded; the image of God which is in them will be obscured, and perhaps at last extinguished. For my own part, I feel deeply indebted to the Lord Chancellor for bringing in the Bill, and I hope it will be passed just as it stands. It has been thoroughly sifted by a Committee, comprising some of the most eminent Members of your Lordships' House, and the only reason why it did not pass the other House last Session was because of the unfortunate congestion of business in that Assembly. I trust, for the sake of the neglected children, that the Bill passing your Lordships' House, as I hope it will, at such an early date as this, will now become part of the law of the United Kingdom.

LORD HERSCHELL: My Lords, I think there has been some misapprehension as to the effect of this Bill. The 1st clause simply enables the Court, where a parent has deserted his child or abandoned it, or shown that he has been careless of its welfare, to refuse to give it up to him, unless satisfied that the circumstances have become such that he ought to have it. Then, all the 3rd clause does is to provide that he should show those circumstances. If it is shown to the Court that the parent has abandoned or deserted his child, or allowed his child to be brought up by another person at that person's expense under such circumstances as to satisfy the Court that he has been unmindful of his parental duties, an order shall not be made for the delivery of the child to him, unless he satisfies the Court that he is a fit person. So that where a parent applies for the custody of a child which has been taken care of by others, Clause 3 only throws upon him the onus of proving that he is fit to be entrusted with the care of it. Surely there is nothing unreasonable in empowering the Court to say to a man who has behaved in that way, "Before the Court is forced to give you the custody of the child you shall show that you are a fit person to have it."

On Question, agreed to.

House in Committee accordingly.

Clause 1.

THE LORD CHANCELLOR: My Lords, I propose to amend Clause 1 for a reason which I will explain. The mode in which the Bill was moulded in Committee has led to the putting together of a number of provisions in a way which may possibly be misunderstood. I am not quite certain that I entirely agree with the criticism that has been made in regard to what I may compendiously call the "conscience clause," which at present forms part of Clause 1. It has been suggested that it would be there so limited in its operation that it would only apply to Clause 1, so that in the construction of the clauses as they stand, if any case should arise under, I will say, Clause 3, this proviso coming under Clause 1 might be considered to be limited to that clause, and not to extend to the other clauses of the Bill. As I have said, I am not altogether convinced that that is the true construction which should be placed upon the 1st clause; but it appears to me, if there is the least doubt about it in the mind of the noble Lord, it had better be swept away. It is very easy to alter the clause for that purpose. What I propose to do is to let Clause 1 come to an end at line 11 at the words "the Court may in its discretion decline to issue the writ or make the order," leaving out the rest of the clause. I then propose to put in the conscience proviso as a separate and independent clause at the end of the Bill. Under those altered circumstances I think no one can doubt that that clause will have its full operation upon every clause in the Bill.

LORD NORTON: There is no definition of the circumstances under which the Bill is to apply. The clause begins with a parent's application for the production of a child. That is presumably from some custody in *loco parentis*, but there is no description of the sort of custody. When any parent applies for the production of his child, he is to sue for a writ of *hebeas corpus*. What an idea for these poor wretched parents, who are really in view, whom most of your Lordships who have spoken on this subject have rightly supposed to be of the lowest possible class, both morally and in their circumstances! They are to go to the High Court in England, or to the Court of Session in Scotland, for a writ, or order, Such parents would be prevented from ever attempting to get back their children, and they would have to submit to any deprivation whatever their right might be. The fees alone would bar them. My noble Friend Lord Meath, in his original Bill, for which this is a substitute, mentioned no Court at all, but merely said that the parent should be enabled to get the custody of the child under certain circumstances, without saying, by what proceeding. The means here provided are far too high—so high, in fact, as to be entirely out of the reach of the class of parents to whom the Bill refers. It seems to me, also, that the discretion of these Courts is unlimited. The parent may be refused the custody of the child if the Court considers him unfit. Now, considering what strong views many have as regards education, it seems to me an extremely wide discretion to give the Court, to allow anyone *in loco parentis* to have the custody of his child if the Judge considers that the parent has misconducted himself. I will only ask the noble and learned Lord whether he really thinks that the High Court is fit for this purpose? I should myself have thought that the Court of Petty Sessions would have answered better for the only necessary purpose. The Magistrates in Petty Sessions have conducted all the affairs connected with our Reformatory and Industrial Schools and all cases of the kind connected with matters now dealt with by this Bill; and I think that if these cases were brought before the Courts of Petty Sessions, they would be fairly and fully and safely dealt with, and those Courts would be within the reach of these poor people, whereas the Courts prescribed by this clause would be entirely out of their reach, and there might just as well be no legislation at all on the subject.

THE LORD CHANCELLOR: I do not know whether the noble Lord is quite familiar with the law on this subject. Apparently he is not, because he seems to be under the impression that the present Bill is an endeavour to make some alteration of the law in this direction of dealing with the custody of children. He objects to the High Court being designated as the tribunal to deal with these applications, but he is probably not aware that that is the only Court to which you can apply for a writ of *habeas corpus*; and if his case is a good one, that these applications shall not be made to the High Court, the Bill can have no operation at all. If he will be good enough to look at the 1st clause he will see that it commences by referring to cases

> "Where the parent of a child applies to the High Court, or the Court of Session, for a writ or order for the production of the child."

That is the only condition under which the Bill comes into operation, and the Bill has no reference to such a subject-matter at all as my noble Friend refers to. It does meet the difficulty which constantly arises where a writ of *habeas corpus* is moved for by a parent, and where the Court has felt itself bound upon that application to give the custody of a child to the parent, although, in the judgment of the Court, that parent may be a very unfit person to have the custody of it. But the law as it stands at present has not said that the Court shall have the discretion of refusing to give up a child to its parent where the Common Law says he has that right. I think I might for answer refer the noble Lord to my noble and learned Friend behind him, and I might ask him whether he thinks it would be an improvement in this Bill to repose the power which I propose to vest in the High Court, in the hands of every Magistrate in the Kingdom. However, there is no such question before your Lordships, for the Bill only applies to cases where the application is necessarily made to the High Court.

Amendment moved, to omit the latter part of Clause 1 after the word "order," in order to insert the said words as a separate Clause at the end of the Bill, agreed to.

Clause 2.

*LORD MORRIS: I move that Clause 2 be omitted from the Bill. I would wish at the outset to set myself right with the House. I thought that I had, in terms which to my own mind appeared clear, admitted that there was an evil which ought to be remedied, and that I considered that evil was amply remedied by Clause 1. That has been called by my noble and learned Friend opposite being "very fastidious" about the right of parental control, and he rather read us a homily—I will not say complacently denounced me—because my opinions do not exactly coincide with his. I confess that I am conservative in legal matters; and I am always desirous of avoiding extremely radical measures, especially measures of such a description as that which was passed by the Revolutionary tribunal in France, that the State should be regarded as the parent of the children of citizens. The noble Earl from Ireland upon the Cross Benches says I am acting contrary to my position as a supporter of law and order. I do not think I am. On the contrary; I think I am supporting it in objecting to an irritating legislation, irritating, I say, when it goes one iota beyond the admitted evil, an evil which I have not denied. The noble Lord does not explain why that remedy is not amply given by Clause 1, when under that clause no unfit person can again get the control of his children. The right rev. Prelate who spoke upon this subject said the difficulty arose from a confusion between the articles, not the Articles of the Church, but the definite and indefinite articles. With great respect to the right rev. Prelate, I do not think I have fallen into that mistake. Indeed, he could scarcely have attended to the speech of the noble and learned Lord opposite, who pointed out that in every case the parent must show that he is fit to get back his child, that he is not a drunken or dissolute person, or of such a character that he should not be entrusted with the custody. If he does not get back his child *cadit quæstio*; but if he does get back his child upon showing that he is a fit person, notwithstanding that he must, under Clause 2, pay as he would have to do had the child been at a hotel or boarding house, the expenses incurred during the time that the charitable institution or persons have been taking care of it and getting money from the public under the representation that they were maintaining, bringing up, and educating the child. Does the right rev. Prelate suppose that this is to be upon the application of and that the payment is to be made in the case of a drunken parent? It is not. It is to be in the case of the proper and respectable parent, whose child has been taken from him under circumstances which the Court would consider improper. If that is so, why is he to pay for what has been done without his consent? But is getting hold of a child any reason for creating a contract and making a person pay whom the law has decided but the moment before is a proper person for having the custody of his child? If we are to suppose that this Bill is only to apply to dissolute parents I do not object to it; but the object of putting it in is, as a penalty or a contract, or whatever you like to call it, that the parent is to pay a lump sum of money, although the Court has decided that he is a proper person to have the custody of the child. I do not see the necessity for it. What becomes of the "drunken and dissolute persons"—using all the expletives you please—when the clause applies to a person who is considered fit and proper to have the custody of his child? On these grounds, in order that it may not be said that this Bill has passed your Lordships' House unanimously, I venture to say that I object very strongly to Clause 2, and I move its omission.

LORD HERSCHELL: The noble and learned Lord says this clause goes beyond what is necessary. Now, I cannot admit that any clause goes beyond what is necessary which only goes as far as is just. Of course, if it goes beyond what is just, I admit that would be a very good ground for omitting it, but I cannot admit for a moment that this clause does go beyond what is just. In the first place, I would say I regret that the speech of the noble and learned Lord betrays the most absolute lack of confidence in the Judges of the High Court of Justice in England and the Court of Session in Scotland. His whole speech is founded upon his utter disbelief in the discretion with which they are entrusted, because nothing can be done under this clause except what they in their discretion think right. Of course, if you cannot trust the High Court and the Court of Session, well and good; but I confess that I should have expected to hear that from any quarter rather than the quarter from which it came. My noble and learned Friend says this only applies in the case where you are going to give the custody of the child to the parent, and, therefore, that in such a case it can never be reasonable that he should be called upon to pay the past expenses of bringing up his child. Is that really so? A parent may have neglected his child most grossly and improperly; he may have left others to bear the burden of bringing it up which he ought to have borne, and yet he may come to the Court under such circumstances and demand to have back his child. Surely it is not unjust that the Court should be empowered to say to him, "Notwithstanding your past misconduct we are not going to deprive you for ever of the custody of your child; under the circumstances, we think you may safely be trusted with its custody; but, at the same time, having regard to your conduct in the past, we think it only reasonable you should recoup to those who have borne the burden you ought to have borne the expense they have incurred." He has neglected his duty; somebody else has performed it for him; you say, nevertheless, you will not deprive him of the custody of his child. The noble and learned Lord, in order to justify his case, must say there cannot be a case in which a parent should be compelled to pay anything. In order to show that this clause ought not to be inserted my noble Friend must go the length of saying there is no case in which the Court trusts the child to a parent again in which it ought to

call upon him to bear the burden which he has cast upon others. It seems to me that it is a discretion which may safely be left to the Courts, to say in such a case how much the parent shall be compelled to pay for the support of his child. I think they may well be trusted not to do so where it would be unreasonable.

*LORD NORTON: My Lords, I should like to say one word upon what has fallen from the noble and learned Lord opposite. I maintain that this clause is not only right, but that it is absolutely essential, and one of the most important clauses in the Bill. There is no penalty imposed upon giving back a child to the parent, as my noble Friend behind me says, but it is at the discretion of the Court to order that the whole, or any part of, the expenses incurred in maintenance shall be returned by the parent upon getting back his child. Let me point out to the noble Lord the importance of that proviso. In the case of Industrial Schools, the parent is made to pay as much as the Magistrates think he ought to pay of the expense incurred during the time the child has been brought up in the Industrial School. He is ordered to pay as much as he can. That is found to be the most important provision in the Act. It is the only check upon abuse. The Industrial Schools of this country are abused now to an enormous extent, and unless there was a check in the nature of demanding a payment as far as possible from the parent the abuse would be unlimited. In fact, the Act would operate as a premium upon neglect by parents, because it would be, on the part of the State, absolutely and unconditionally undertaking the care of children who are deserted or neglected by their parents. Without some check on such conduct these Acts would positively be most mischievous, and so far as a parent's liability to pay for his child's education is right and just, it is essential as a check against abuse. The Court would take into consideration what parents have already paid and their power to pay or refund more; but they should, as far as they can, be compelled to recoup the State Institution or benevolent persons for the expense they have been at in taking care of their children and relieving them of the duty which naturally and properly devolves upon them.

*THE BISHOP OF CARLISLE: As the noble and learned Lord who proposes the omission of this clause has referred to a few words which fell from myself, I should like to add a few remarks. One is not obliged to agree entirely with a statement which comes from any authority however eminent. I did not agree with the statement which comes from the noble and learned Lord, and therefore it was that I ventured to trouble your Lordships with the remarks which I made. Both upon my objection to the clause on the one hand and the reason which I should have given for supporting it, all I should have said has been very much better said by the noble and learned Lord opposite, and I think it is quite unnecessary for me to say anything more in that respect. All I would say is that it seems to me the fatal mistake under this clause is in forgetting that a man or woman does not always remain for 10 or 15 years what they have been. A man may have been a very improper person to have been entrusted with the custody of his child for a certain period; he may have deserted the child in the most abominable way, and the child may have been taken charge of by others and put into an Industrial School; but 10 years afterwards that man may have become a thoroughly reformed character, and may come before the Court to demand his child under such circumstances that the Court would consider he should have the custody of it. But he has, in the first instance, committed a great fault by abandoning his child; and if the Court thinks that the circumstances are such as to justify putting the burden or penalty upon him of recouping the expense of the child's bringing up, I cannot see what possible injustice there can be, except upon the impossible hypothesis of the High Court of Justice or the Court of Session being totally dead to all feelings of duty and good sense in the matter. Therefore, seeing that it is a matter which is discretional with the Court, and that it is perfectly possible that cases of the description contemplated may arise—and I believe that evidence would show such cases have arisen—it does seem to me a most wise provision that the Court should have this power of making parents pay, supposing the circumstances justify it. I would add, with regard to the noble Lord who spoke last, that many such cases as those to which he referred have been brought under my notice in Industrial Schools. I know that children are put into the schools at a certain age, and are practically abandoned by their parents; but that when those children have been brought up, trained, and educated, and are likely to become useful, they are demanded by their parents, it may be, for the purpose of making beggars of them, or for making use of them in other and worse ways. It is not right that for such purposes against the welfare of the children, parents should be allowed to claim them, and there ought, beyond all doubt, to be some kind of restriction put upon that abuse of the Industrial Schools. Upon those grounds, I think this is a most admirable clause.

On Question, "That Clause 2 stand part of the Bill," agreed to.

Clause 3 agreed to.

New Clause—

"Upon any application by the parent for the production or custody of a child, if the Court is of opinion that the parent ought not to have the custody of the child, and that the child is being brought up in a different religion to that in which the parent has a legal right to require that the child should be brought up, the Court shall have power to make such order as it may think fit to secure that the child be brought up in the religion in which the parent has a legal right to require that the child should be brought up. Nothing in this Act contained shall interfere with or affect the power of the Court to consult the wishes of the child in considering what order ought to be made, or diminish the right which any child now possesses to the exercise of its own free choice."—(*The Lord Chancellor.*)

*LORD NORTON: It really does appear to me that we are very tender about conscience or religion in this matter. It would seem that an idea has got abroad among the public that benevolent persons who take care of neglected and abandoned children have principally in their minds some proselytising object. Well, anything of that kind ought certainly to be checked, but I would only venture to ask the noble and learned Lord on the Woolsack, as he says I have no knowledge of the law——

THE LORD CHANCELLOR: I did not, indeed.

*LORD NORTON: What is the legal right of a parent under circumstances such as those to which this clause applies—that is, condemned as unfit to have his child, as to the religious instruction required? The clause might at least be so worded that the parent shall be bound to show that his child is being improperly taught in a religious point of view, and not that the Court shall be bound to form an opinion that the child is being taught a different religion. At all events, the proof should come from the parent that his child is being taught in some religion different from his own. We might have to provide for not only the Christian religion, but Mahommedan and Buddhist, and all denominations, and even Agnostic, probably the character of religious belief of most of the parents to whom the clause would apply.

THE LORD CHANCELLOR: I am bound to say that I share the difficulty of the noble Lord in understanding what the proposition is with which I have to contend. I certainly did not say the noble Lord knows nothing about the law, for I believe he is a distinguished member of the Bench of Magistrates in his county, and that on that Bench which he adorns he administers justice to the great satisfaction of all those amongst whom he performs his duties. But really and seriously, I have great difficulty in understanding what the noble Lord wants to know. If he will be good enough to look at the language of the section I think he must admit that it is, as it seems to me to be, very plain. It provides that—

> "Upon any application by the parent for the production or custody of a child, if the Court is of opinion that the parent ought not to have the custody of the child."

That is one branch; then it goes on—

> "And that the child is being brought up in a different religion to that in which the parent has a legal right to require that the child should be brought up."

That is the second branch of the proposition. It must, therefore, appear to the Court that the parent is unfit to have the custody, and that the child is being brought up in a different religion. The order is to be made after the child has been brought before the Court, and after the Court has been satisfied, upon summons presumably by the applicant, that the child has been brought up in a different religion to that which the parent has a legal right to require. I pause there to point out that those words are general. They do not give any definition of what "religion" is to be held to mean. So far as I can judge of what the noble Lord means, he means that there should be an enumeration of all the different religions of the world among which mankind is divided, and that in regard to each of them he would have special protection thrown around it.

*LORD NORTON: No.

THE LORD CHANCELLOR: Then I positively declare that I do not know what the noble Lord does mean; but perhaps he will allow me to point out to him with regard to this point of religion, whatever the legal right is of the father to have his child brought up in the religion which he desires it should be brought up in, provided always, of course, that the child has not arrived at such a period of life that it has formed opinions of its own, it goes on to provide that—

> "Nothing in this Act contained shall interfere with or affect the power of the Court to consult the wishes of the child in considering what order ought to be made, or diminish the right which any child now possesses to the exercise of its own free choice."

So that the hypothesis upon which this clause is introduced is that a child is being brought before the Court not able to exercise its own free choice in point of mind, education, and age, and that the father has a legal right to direct in what religion it shall be brought up, that legal right being then invaded, then that is one of the matters which is left in the discretion of the Court. I cannot forbear repeating what my noble and learned Friend said across the Table just now, that the noble Lord really seems to have a very great distrust of the sense of justice of the High Court. What is the difficulty which the noble Lord has in his mind about it? Does he think that the protection which is given to the rights of parents in this regard ought to be confined to one or other of a certain number of religions, which he wishes to see introduced into the clause? I have no right to ask him for an answer, but perhaps the noble Lord will explain before he proceeds to divide the House, if he does divide it, what it is he does mean, and what religions he wishes to have enumerated. If the noble Lord can make an intelligible clause by his Amendments he must forgive me for saying that he will do that which he did not accomplish in his speech.

*LORD NORTON: I was only suggesting the addition of such words as, "if the parent can show the Court" that the child is being brought up in a different religion from that which he approves. By what means is the Court to ascertain, and to secure the religion which the parent condemned as unfit? I only propose that the *onus probandi* should be on the parent to show that the child whom he has abandoned and is not allowed to take back, is being educated in a different religion. How also is the Court to secure this peculiar teaching, and from what funds?

Clause added.

Report of the Amendments to be received on Monday next; and Bill to be printed as amended. (No. 31.)

PRESENTATION TO BENEFICES BILL. [H.L.] (No. 5.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Monday next.

House adjourned at half-past Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 6th February, 1891.

MOTIONS.

POLICE AND SANITARY REGULATIONS.

(3.8.) Motion made, and Question proposed,

> "That the Committee of Selection do appoint a Committee not exceeding nine members to whom shall be committed all Private Bills promoted by Municipal and other Local Authorities, by which it is proposed to create powers relating to police and sanitary regulations which deviate from, or are in extension of, or are repugnant to, the General Law; that Standing Order 173A be applicable to all Bills referred to the said Committee; that the Committee have power to send for persons, papers, and records; that five be the quorum of the Committee."—(*Mr. Stuart Wortley*).

*(3.10.) MR. H. H. FOWLER (Wolverhampton, E.), who had a Motion on the Paper to the effect—

> "That it be an Instruction to the Committee not to insert in any Bill referred to them any Clauses relating to matters which are the subject of provisions in the Infectious Disease Notification Act, 1889, the Public Health Acts Amendment Acts, 1890, or the Infectious Disease Prevention Act, 1890,"

said: I do not intend to oppose the appointment of the Committee this Session. I think the House is under a deep debt of gratitude to the Committee for the manner in which they have discharged their duty. A large number of Bills have been promoted by Local Authorities, each asking for a code of its own involving an extensive alteration of the general law and more stringent and oppressive regulations against the subject. There has been a strong feeling therefore that such Bills should be regulated by some general rule and guided by some general principle. The Committee is called a "Police and Sanitary" Committee; that, however, is an incorrect description of its functions, because it is also a Fiscal Committee. I am of opinion that the system of Provisional Orders contains the true solution of the reform of our Private Bill procedure. Those Orders supply a means by which most of the objects a Municipal Corporation can desire are to be attained; and I think it is undesirable that Municipal Bodies should, by means of Private Bills, obtain powers which can be better conferred on them through the instrumentality of Provisional Orders. The advantage of Provisional Orders is twofold—not only are they less expensive as far as the taxpayers are concerned, but they are also under the supervision and control of the Local Government Board. The proposition I venture to submit to the House, and to the President of the Local Government Board, is this—that when the power can be obtained by Provisional Order, the Committee ought not to sanction their insertion in a Private Bill; and that where a Bill is brought in mainly for the purpose of obtaining powers which could be obtained by a Provisional Order, but with the insertion of one or two bogus provisions, the Committee would do wisely to throw out the Bill altogether. Further, I would ask that the promoters of measures of this kind should not be allowed to extend the general law of the land. Private Bills are heavy burdens to the localities, and they should not be allowed except in cases of absolute necessity. It is not for the interest of the public that such Bills should be encouraged. If the law of the land is to be altered, it should be altered by the House of Commons, and no Committee should have power to come to the House of Commons and say, "We think this is something better than the decision which has been arrived at by the whole House, and therefore we seek to alter the general law."

(3.20.) MR. F. S. POWELL (Wigan): It is as long ago as 1872 or 1873 that public attention was first called by me to these Bills. Up to that time they were thrown before Select Committees in a very haphazard way, and it was in consequence of the action which I took that the Home Office first, and the Local Government Board subsequently, made reports upon these Bills. The House gave its attention to the subject, and the Sanitary Committee was constituted. So far as local indebtedness is concerned, I entirely agree with the right hon. Member for Wolverhampton (Mr. H. H. Fowler) that the increase of local debts is a source of danger to the country, and I am sure that, as a rule, sufficient attention has not been paid to the evil. I hold, and I believe the right hon. Gentleman opposite will agree with me, that it is a cruel kindness to be facile in matters of this kind, for repayments should be made as rapidly as possible. I entirely agree with what the right hon. Gentleman opposite has said as to the excessive labour which hon. Members attending Committees have had to perform, and which is becoming quite intolerable. I think it is a culpable waste of power to enforce an investigation by a Select Committee when all the circumstances of the case would be much better investigated by a tribunal on the spot under procedure by Provisional Order. Most of us who have assisted in passing local Acts must have felt how much better and wiser our decision would have been if we could have spent a day or two in the district. I feel strongly that Parliament ought not to give power by clause to do that which can be done by bye-laws, and as to an extension of the criminal law I am afraid there are some cases in which we cannot escape that course. If we pass regulations to prevent a man from doing certain things we must by imposing penalties enforce the statute. But our policy has always been to make the penalties as low as possible. I quite agree with the Report of the Sanitary and Police Regulation Committee of last year, that—

> "The Public Health Acts Amendment Act embodies in the best form a number of Police and Sanitary enactments which have, in a number of Local Acts, stood the test of time, and have become ripe for general legislation."

In the early part of our proceedings we recommended that there should be legislation in regard to indecent advertisements, the sale of coal, the employment of young persons, and the notification of infectious disease, and since then the whole of our recommendations upon those subjects have become law with an exception which was mentioned in our last Report as deserving further consideration.

*(3.30.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I entirely concur in the observations of the right hon. Gentleman opposite, and in what has fallen from my hon. Friend behind (Mr. F. S. Powell), and I think that the Instruction which the right hon. Gentleman has put upon the Paper will be of great value. The right hon. Gentleman has spoken of the large and increasing amount of local debt; but from certain points of view that increase of debt may be regarded as being a matter for congratulation, inasmuch as the borrowed money has been expended in the construction of works which have greatly improved the sanitary condition and added to the comfort of the inhabitants of the different localities. No doubt the growth of the debt has been facilitated by the long periods of repayment that have been authorised, but the tendency of Parliament and of the Local Government Board has been, of late years, to reduce the number of years for repayment, although not to such an extent as to prevent Local Authorities from carry-

ing out useful works. The right hon. Gentleman has said that it would be a desirable thing that Local Authorities should obtain the required powers by means of Provisional Orders, instead of by Acts of Parliament, and I entirely concur in that suggestion; but I may point out that there is scarcely a single power that a Local Authority cannot now obtain by means of Provisional Orders. I think I may say that, with the exception of the construction of waterworks, everything can be done by Provisional Orders, which are much less expensive than Private Bills. In proceeding by Provisional Orders a local inquiry is held; all parties are able to place their views before an officer of the Local Government Board; that officer is often able to make suggestions which lead to local agreement; and it reflects the greatest credit on the officials that there is hardly a confirmatory Bill which has been opposed in the House. These satisfactory results seem to add force to the recommendation that the Police and Sanitary Regulations Committee should set their faces against proposals to do, by means of a Private Act, that which cannot be done under the general law. I agree that borrowing powers ought to be kept within the narrowest limits as to the time for repayment; but I do not think the position of matters with regard to repayments is quite as unsatisfactory as has been suggested by the right hon. Member for Wolverhampton. Local Authorities have to make Returns on a form supplied to them by the Local Government Board as to the provision made for repayment; and the Board have the power where they are dissatisfied to take summary proceedings by which repayments can be doubled, if necessary, and the order of the Board can be made a rule of Court. I endorse the view that Parliament ought not to entertain interferences with a general law which has been passed so recently, and thereby create chaotic divergences in places that have obtained local Acts. If the general law requires amendment it ought to be amended by a Public Bill applicable to the whole country.

(3.37.) Mr. J. E. ELLIS (Nottingham, Rushcliffe): The House ought to be obliged to the right hon. Member for Wolverhampton for having brought this matter forward, and also to the President of the Local Government Board for the remarks he has made. I fully endorse the view of the right hon. Member for Wolverhampton that the general law ought not to be altered by Private Bill. There have been instances in which great excitement has been produced in localities by the putting into operation of a local Act containing an exceptional provision which has, perhaps, been passed hastily by a Committee upstairs. Certainly the House should be careful in allowing Local Authorities to make additions to the Criminal Law by creating local offences which are unknown to the general law.

(3.37.) Mr. COURTNEY (Cornwall, Bodmin): I do not rise for the purpose of differing from the observations which have been made already, but I think it is necessary to utter a word of caution. It was the reforms that were first made tentatively by independent corporations which made it possible to pass a general Act embodying provisions which have been already carried out in municipalities. It is rather a strong thing to lay down a universal negative that no change desired by a municipality shall be considered. The proposed Instruction is limited to this Session, but I warn the House that they may expect remonstrances against it from Local Bodies, to whose action in the past is due the full growth of our sanitary legislation. As to additions being made in this way to the "Criminal Law," the phrase is a very large one, and I do not think that anything that can be strictly called an addition to the Criminal Law has been made by Private Bill. We ought rather to speak of changes made for police and administrative purposes; and no doubt such proposals ought to be jealously watched and guarded, which is the special purpose for which the Committee was appointed. Here, again, it is an extreme step to say that, although local pressure is strong, the Committee is not to be allowed to entertain the proposal and to report it to the House. I will not oppose the Instruction, but I believe the House will hear remonstrances that it is curbing too closely the action of Municipal Corporations.

(3.40.) Question put, and agreed to.

Ordered, That the Committee of Selection do appoint a Committee, not exceeding Nine Members, to whom shall be committed all Private Bills promoted by Municipal and other Local Authorities, by which it is proposed to create powers relating to Police and Sanitary Regulations which deviate from, or are in extension of, or are repugnant to, the General Law.

Ordered, That Standing Order 173A be applicable to all Bills referred to the said Committee.

Ordered, That the Committee have power to send for persons, papers and records.

Ordered, That Five be the quorum of the Committee.—(*Mr. Stuart Wortley.*)

Ordered, That it be an Instruction to the Committee on Police and Sanitary Regulations not to sanction in any Bill referred to them any clauses relating to matters which are the subject of provisions in "The Infectious Disease Notification Act, 1889," "The Public Health Acts Amendment Act, 1890," or "The Infectious Disease Prevention Act, 1890."—(*Mr. Henry H. Fowler.*)

QUESTIONS.

THE INDIAN COUNCILS BILL.

Mr. BRYCE (Aberdeen, S.): I wish to ask the First Lord of the Treasury when the Government propose to take the Second Reading of the Indian Councils Bill?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): In the present state of public business I can enter into no undertaking in regard to the Indian Councils Bill.

MILITARY CONTRIBUTIONS OF CEYLON AND INDIA.

Sir ROPER LETHBRIDGE: I beg to ask the Under Secretary of State for the Colonies whether any decision has yet been arrived at as to the exemption of the Island of Ceylon from military contribution, especially in regard to the provision for the military defence of Trincomalee, the headquarters of the Imperial Navy in Indian waters?

The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): Her Majesty's Government have not entertained any proposal for the exemption of Ceylon from military contribution. There is no reason why that colony should not bear its fair share of the cost of Imperial and Local defence. This decision will shortly be communicated to the colony with a full statement of the grounds upon which that decision has been based.

Sir ROPER LETHBRIDGE: May I ask whether Her Majesty's Government have given any consideration to the fact, which is an undoubted one, that Trincomalee is the head quarters of the Imperial Navy, and that that is a matter for which the Island of Ceylon is in no way actually responsible?

Baron H. de WORMS: Yes, Sir, the fullest consideration has been given to the question by Her Majesty's Government, but they are scarcely prepared to admit that Trincomalee is the head-quarters of the Imperial Navy in Indian waters. On the contrary, I should say that Bombay probably represents the head-quarters. At all events Her Majesty's Government have carefully considered the question. I may add that the Secretary of State has received an important deputation on the subject, and after due consideration arrived at the decision which has been communicated to the Government of Ceylon.

RIVER IMPROVEMENTS AND FLOODS.

Mr. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he is aware that questions affecting river improvements and the mode of dealing with floods are being discussed with great and increasing interest by tenant farmers, and that last week a resolution proposed and seconded by two county aldermen, was adopted by the Farmers' Club, at Southam, in Warwickshire, suggesting that Parliament should confer further powers upon County Councils with regard to these matters; whether he will consider, with a view to legislation, if it would be practicable to enable County Councils, representing counties having interests in the same watershed, to act through a joint Committee in dealing with these important subjects; and whether he is aware of any financial difficulty in the way of such legislation which could not be equitably met, so as not to impose taxation or expense upon those who would not share in the benefit?

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): I am aware that the subject of rivers conservancy and floods prevention has been discussed by some County Councils, and that suggestions have been made that the County Councils should be invested with powers in regard to this matter. I think that when legislation is proposed on the subject it will be a proper matter to consider whether such powers as may be required should be conferred on the County Councils or a Joint Committee of the Councils of the counties by or through which the river passes. One of the difficulties incidental to the question is no doubt that as to the rates to be levied. In the Bills which have been introduced on this subject it was proposed that the area of charge should be divided into lowlands, midlands, and uplands with a view to the charges varying according to the benefit derived by the owners and occupiers.

Mr. COBB: Can the right hon. Gentleman give any idea when legislation is likely to take place?

*MR. RITCHIE: I am afraid, Sir, that I cannot.

ALEXANDRA GATE.

SIR ALGERNON BORTHWICK (Kensington, S.): I beg to ask the First Commissioner of Works whether, referring to his answer on 18th March, 1890, in reference to Alexandra Gate, he is aware that nothing has been done, and that during the late frost the danger of the narrow road was increased by heaps of snow piled right and left of it; and whether the necessary improvements cannot be effected before the traffic further increases?

THE FIRST COMMISSIONER OF WORKS: (Mr. PLUNKET, Dublin University): I am sorry to say that the proposed scheme for widening the roadway of Kensington Gore from Alexandra Gate to Queen's Gate has been abandoned by the Vestry of St. Margaret's in consequence, as I am informed, of the refusal of the Landon County Council to grant the assistance towards the scheme which the Vestry had asked for. The Office of Works is therefore unable to take any further steps in that matter, but we propose forthwith to set back the gates at the Alexandra Lodge, so as to give more space at the exit from the park.

CUSTOMS' MESSENGERS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary to the Treasury whether any decision has been arrived at with reference to the memorial forwarded by the established messengers of the Customs last year for an amelioration of their condition; whether the messengers, upon their promotion to the first class, receive no increment for twelve months, although they may have been at the maximum salary of the second class for over 12 years; and if so, will he remedy the grievance complained of; whether one messenger has obtained a separate appointment as doorkeeper to the Board of Customs, and has been taken off the class of messengers and given increased pay, thus reducing the number of first class messengers to 16, instead of 17 (in accordance with the Treasury Order); whether another messenger has been called upon to give (whenever required) an additional hour's attendance after 4 p.m. without remuneration, although hitherto the messengers of the Customs have always received the payment of 8d. per hour for overtime after 4 p.m.; and whether the last vacancy occurred as far back as January 1890; and if so, will the appointment thereto be antedated to that time?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): No decision has yet been arrived at in regard to the memorial of the established messengers of the Customs, new points having been raised by the memorialists last month, but the Report of the Board of Customs on the whole subject is now before the Treasury. No increment is received by the messengers upon promotion to the first class until after one year from promotion; the practice is well known and constitutes no grievance. There have been no doorkeepers since 1882.

THE SCIENCE COLLECTIONS AT SOUTH KENSINGTON.

SIR HENRY ROSCOE (Manchester, S.): I beg to ask the First Commissioner of Works whether any, and if so, what steps have been taken to carry out the undertaking given by him on 1st April, 1890, with regard to the housing of the Science Collections at South Kensington; whether the plans of the buildings required for this purpose are being drawn; and how far the assurance given by him that the Government are prepared to put buildings on a proper and worthy footing upon the site purchased last year has been fulfilled?

Mr. PLUNKET: During the past year Her Majesty's Government have given much consideration to the question of buildings at South Kensington, not for the Science and Art Department only, but also for the proposed Gallery of British Art. All these matters are interdependent, and it has not been possible to deal with the requirements of the science collections, otherwise than in combination with those of the Art Collections. It has now been decided to proceed at once with the completion of the buildings on the east side of Exhibition Road. These will ultimately be devoted wholly to art collections, although for some years it is probable that some portions of them may be temporarily available for science collections. The buildings will, however, take several years to complete, and in the meantime the needs of the science collections are undoubtedly somewhat urgent, and more accommodation is also required for science teaching. I am now in communication with the Science and Art Department, as to the best means of providing for these scientific requirements, and I hope soon to submit a proposal to the Treasury. As the buildings on the east side of Exhibition Road will cost some £300,000 or £400,000, it is obvious that any further immediate demands on the Chancellor of the Exchequer must be confined within as narrow limits as possible.

Sir H. ROSCOE: May I ask whether the right hon. Gentleman is aware that the west galleries will be used before long for the National Gallery of Modern Pictures?

Mr. PLUNKET: That is what renders the case of these science collections urgent, and it is on this subject that I am at present in communication with the Science and Art Department.

LABOURERS' ALLOTMENTS.

Sir WALTER FOSTER (Derby, Ilkeston): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) as representing the Charity Commissioners, whether he is aware that a field belonging to the charity called the Poor's Land at Hazlebury Bryan, in the county of Dorset, is being set out in allotments under "The Allotments Extension Act, 1882," whether he is aware that, though this field is stated to have been let to a farmer at £3 per acre, the labourers are now called upon to pay £5 14s. 6d. per acre with a quarter's rent in advance, and whether there is any adequate reason for such a great increase in the rent?

Mr. J. W. LOWTHER (Cumberland, Penrith): The answer to the first question is in the affirmative. The Charity Commissioners are informed that the land in question is let at the rate of £3 11s. 5d. per acre, the tenant paying all out-goings; and that the rent proposed to be charged for the first year to the allotment holders is at the rate of £5 6s. per acre. The reason for this increase is that the trustees have added to the rent hitherto paid the expenses of setting out the land for allotments as well as the ordinary outgoings, as directed by the Allotments Extension Act, 1882, Sec. 13. It is understood, however, to be their intention, after the first year, to reduce the rent proposed to be charged, by such a proportion of it as represents the expenses of setting out the land.

Sir WALTER FOSTER: Would it not be better to spread the excessive payment charged in the first year over a series of years?

Mr. J. W. LOWTHER: Perhaps that would be the most rational plan, but I do not know whether it is in the power of the Trustees to do so. I will see that a letter is written to them on the point.

THE WAR DEPARTMENT AT SHEERNESS.

Mr. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Secretary of State for War, if he can explain why, on the 28th day of January last, the public were excluded, by order of the War Department authorities at Sheerness, from a football match played in Wall Marsh, Sheerness, although the said marsh has been open to the public for many years?

*The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): It appears that the Wall Marsh is a private recreation ground for the troops to which the public are only admitted occasionally and by special pass.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) ACT.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Lord Advocate whether he intends to propose legislation this Session to amend the Presumption of Life Limitation (Scotland) Act?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Yes, Sir.

KING JA JA.

SIR WALTER FOSTER: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to a letter, dated 13th August 1890, written by the Administrator of the Island of St. Vincent to King Ja Ja, informing him that it is Her Majesty's gracious will and pleasure to order his release from further detention as a political prisoner in St. Vincent, and to take steps for his re-conveyance to Opobo, on the condition that he will give his assurance in writing that, on being restored to his country as a private individual, he will for the future abstain from fomenting disturbance, and conduct himself with loyalty to Her Majesty, Her Governor, and representatives; whether, on the 18th August 1890, King Ja Ja signed the assurance as recited in the letter, at the Government Office in Kingstown, St. Vincent, in the presence of J. Choppin, Attorney General; F. B. Griffin, Treasurer; and George Smith, three members of the Executive Council of St. Vincent; and whether King Ja Ja is still detained in St. Vincent; and, if so, why Her Majesty's order for his release and re-conveyance to Opobo has not been carried out?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I believe that the facts are correctly stated in the question. It was intended to permit Ja Ja to return to Opobo on the conditions mentioned; but in the meantime news was received from Opobo which showed that his return before a more effective form of administration had been established would be inexpedient. It is accordingly delayed; but I hope only for a short time.

THE INTERNATIONAL MARITIME CONFERENCE AT WASHINGTON.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the President of the Board of Trade whether Her Majesty's Government has yet received the Report of the Committee appointed by the Board of Trade to consider the recommendations of the International Maritime Conference held at Washington last year; and, if so, whether he can now state when their Report is likely to be laid upon the Table of the House?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Report of the Committee appointed by the Board of Trade to consider the alterations proposed at the Washington Maritime Conference in the International Regulations for the prevention of collisions at sea has been received, is now being considered, and will, I hope, shortly be laid before Parliament.

SOUTH KENSINGTON MUSEUM.

MR. BARTLEY (Islington, N.): I beg to ask the First Commissioner of Works what date has been fixed for the sending in of the competition drawings for the South Kensington Museum; and whether he will lay upon the Table the conditions of the competition?

MR. PLUNKET: The date fixed for sending in the competition drawings for the South Kensington Museum is July 1st next. There will be no objection to laying the conditions of the competition on the table if my hon. Friend cares to move for them.

SECOND DIVISION CLERKS.

MR. TUITE (Westmeath, N.): I beg to ask the Chancellor of the Exchequer whether in any circumstances other than an emergency, the head of a Department of State can compel the attendance of Second Division clerks beyond the hours laid down in Clause 3 of the Order in Council of 21st March 1890?

MR. JACKSON: It would be quite contrary to the principles and practice of the Civil Service to lay down any rule as to when compulsory extra attendance can be required. The overtime is paid for, and it must rest with the head of the Department to say when it is necessary to require it in the public interest.

THE POST OFFICE BUILDINGS AT ST MARTIN'S-LE-GRAND.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether he has been informed that Mr. Chappell, the contractor for the new Post Office Buildings, St. Martin's-le-Grand, has sub-let a portion of the stone work to the Steam Moulding Works, Battersea, and that he has also sub-let the King Edward Street front to Messrs. Smith and Taylor; whether this is in conformity with the specifications, that no work shall be sub-let without his written sanction; and if sanction has been given to this sub-letting, why it has been so given?

MR. PLUNKET: The sub-lettings referred to have been made by Mr. Chappell with written consent from me. The consent was given solely for the purpose of expediting the works, which had been much retarded by the prolonged frost of December and January. The extent of work sub-let was carefully limited, and in neither case goes beyond the ground floor; and an intimation was given that no further portion of the stone-work would be permitted to be sub-let.

ARDCHATTAN AND MUCKAIRN SCHOOL BOARD.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether, in arriving at the decision placing the Episcopal school on the annual grant list, the Scotch Education Department took into consideration the statement of the School Board of Ardchattan and Muckairn of 17th September last, that the number of children on the roll of the Episcopal school was only 16; whether the Department made any, and, if so, what inquiry to clear up the discrepancy between the number so given by the School Board, and the number (38), given to the Department by the Episcopal school authorities; what were understood by the Department to be the number on the roll and in average attendance at the time of its being placed on the grant list; upon what date was the decision of the Department communicated to the School Board; and whether the Department has received any contradiction of the statement of the School Board that on the 26th January last there were only 19 children on the roll of the Episcopal school, and only 13 in attendance that day, four of these being the children of the teachers who came to the district about a month ago, whilst the School Board had been informed that one of the 19 had gone to the Board School?

*MR. J. P. B. ROBERTSON: All the information furnished was taken into consideration by the Scotch Education Department before the decision to place the Episcopal School on the Annual Grant List was arrived at. The School Board's letter of 17th September did not state the number of children on the roll of the Episcopal School, but the last return which had been received from the Board at that date gave the number as 40. The discrepancy which has been referred to is that between the statements which preceded the decision, and the statement made by the School Board on 8th January last, after the decision had been announced. When the decision was arrived at there were stated to be 24 children attending the school. The decision of the Department was communicated to the School Board on the 9th December last. My lords are in communication with the managers of the School in reference to the Board statement of 26th of January, as it is desirable to clear up any discrepancy. But I may remind the hon. Member that the crucial element in the case is the existence of a certain number of children for whom the School is specially required. The time when the parents arrived does not affect the decision.

CARPENTERS IN PLYMOUTH AND DEVONPORT DOCKYARDS.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the First Lord of the Admiralty whether the wages of the carpenters employed in Her Majesty's Dockyards at Plymouth and Devonport, in the Department of the Director of Works, have been reduced; if so, to what extent; and whether he can state what are the wages paid to carpenters in the Chief Constructor's Department, and the hours of labour as compared with the wages and hours of those employed in the Department of the Director of Works?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): No reduction has been made in the wages of the carpenters employed in the Department of the Director of Works at Her Majesty's Dockyards. The wages paid to carpenters in the Chief Constructor's Department are, to established men, 4s. 6d. a day, and to hired men, 4s. to 4s. 10d. a day; and to men in the Director of Works' Department 3s. 8d. to 4s. 6d. a day, according to the qualifications of the workmen. The hours vary according to the time of year, but they average 8½ to 9½ hours in the Constructor's and Works Departments respectively. After the 1st of April there will be a closer assimilation of the hours of these two Departments.

BRITISH COPYRIGHT.

SIR ROPER LETHBRIDGE: I beg to ask the First Lord of the Treasury whether the attention of Her Majesty's Government has been drawn to the American Copyright Bill, and its probable effect on the British printing and publishing industries; and whether any facilities would be granted to a private Member bringing in a Bill to enact similar conditions for British copyright, but with an extension to all countries, adhering to the Convention of Berne?

*MR. W. H. SMITH: Proposals for legislation on this subject have been before the Congress of the United States for the last three years or more. I do not think it necessary to consider any such suggestions as those made by my hon. Friend until an Act is passed, and we are acquainted with the shape in which it becomes law.

IRELAND—FATHER HUMPHRIES.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland, if he can state why Father Humphries, of Tipperary, has again been followed by police on several occasions. Is he aware that Constable Navin, on 21st January, walked close after this clergyman in the street, and when Father Humphries stopped the policeman halted within two feet of him, and that, on the priest requesting him not to walk on his heels, the constable replied "I will walk where I like, you had better assault me." Do the Government sanction the use of this language by policemen when engaged on such duty? and do the Government sanction policemen when engaged on such duty to enter into any colloquy with the persons they are watching?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am informed that Rev. D. Humphries, C.C., is watched by the police, as he is reported in the Nationalist newspapers to have made speeches at illegal meetings, alleged to have been held near Tipperary, in which he advocated boycotting and intimidation. The constable denies that he replied on the 21st January in the manner attributed to him. He was some yards behind Mr. Humphries when the latter stopped and made some remarks to him. The constable, in accordance with express orders, refused to enter into conversation, and crossed to the other side of the street.

MR. T. M. HEALY: When Father Humphries is being shadowed, will the shadower keep out of ear-shot? What is the necessity for the police following the heels and dogging Father Humphries so persistently close at hand, and will orders be given for the police to keep three or four yards off?

MR. MADDEN: I have no information as to the distance by which this gentleman has been shadowed by the police.

MR. T. M. HEALY: Will not the Government lay down some rule as to the distance which should be observed between the shadow and the person shadowed?

MR. SEXTON: (Belfast, W.) Is the right hon. and learned Gentleman aware that this constable when engaged in the occupation of shadowing not long ago, committed a trespass, and, being warned off by the occupier of the property, drew a revolver upon him? Is he not also aware that for this offence the constable was convicted and fined by a removable magistrate, and does he think that such a man is a fit and proper person to follow Father Humphries?

MR. MADDEN: I have no information that will enable me to answer the right hon. Gentleman's question.

RELIEF WORKS IN IRELAND.

Mr. DALTON (Donegal, W.): I beg to ask the Attorney General for Ireland whether the Government propose to start any relief works in the parish of Lower Templecrone, county Donegal, as it is admittedly one of the most congested and distressed in the county; whether an engineer was sent in December last to open up relief works in the district, but recalled in a few days; and on what ground was he re-called; and whether information has reached the Government that people on several occasions assembled at the Police Barracks in the east of the parish, clamouring for work to tide them over the distress so acutely felt?

Mr. MADDEN: I must ask the hon. Member to postpone the question. I have not yet received a report.

JOSEPH MULLETT.

Mr. SEXTON: I beg to ask the Attorney General for Ireland whether Joseph Mullett, a prisoner undergoing a sentence of penal servitude in Downpatrick Gaol, is in a dying state; and whether the Government will cause or allow an examination by an independent medical man?

Mr. MADDEN: A medical officer from the Prisons Board went down to examine the prisoner, and has reported that there is no ground for the suggestion, but that the prisoner is in thorough good health.

Mr. SEXTON: Will the right hon. Gentleman allow the man to be examined by some medical officer who is not connected with the Prison?

Mr. MADDEN: The medical officer sent down by the Prisons Board was not connected with the prison.

THE CRIMES ACT.

Mr. O'KELLY, Roscommon, N.): I beg to ask the Attorney General for Ireland on how many days the Court of Inquiry, under the Criminal Law and Procedure (Ireland) Act, has sat in Castlerea between the 1st of December last and the 4th of February; how many persons have been sent to gaol by that Court within that time for refusing to give evidence; whether he is aware that several persons have been sent to gaol five or six times in succession; that the Magistrate, Mr. Brady, R.M., questions many of the witnesses brought before him, who are tenants on Lord de Freyn's estate, as to the amount of rent they owe; and that, for the purpose of effecting the arrest of many of these witnesses, their houses are broken into; how many women and children have been arrested; and is it the fact that the wife of Owen Lavin, who is in gaol, was arrested within the last few days in an advanced state of pregnancy, and is now, in consequence of the arrest, in a pitiful condition of health?

Mr. MADDEN: The legal inqairy under the Crimes Act at Castlerea opened on December 29 last, and has since proceeded, with but few intermissions. Twenty-nine persons in all have been committed in custody for successive periods of seven days either for refusing to be sworn or, when sworn, for refusing to give evidence. In no instance was the house of any person broken into. No woman has been committed to prison at any stage of the inquiry. Eleven women in all were brought up as witnesses on warrant. No children were arrested or summoned. It is not the case that the wife of Owen Lavin has been committed to gaol, nor does there appear to be any ground for believing her to be in an advanced state of pregnancy. She made no statement to the police to that effect when told her attendance was required at the inquiry, but, on the contrary, offered to walk into Castlerea, a distance of ten miles. The police, however, provided her with a seat upon a car.

THE ASHBOURNE ACTS.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Attorney General for Ireland when the Return of Memorials from purchasers under the Ashbourne Acts, asking for variation in terms of purchase, ordered 28th November, 1890, will be distributed; and what is the reason of the delay in its appearance?

Mr. MADDEN: The Return referred to is being laid on the Table to-day.

DISTRESS IN IRELAND.

Mr. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Attorney General for Ireland whether his attention has been repeatedly called by the Poor Law Board of Claremorris, County Mayo, to the distress now prevailing in the Ballyhaunis dispensary district of that Union, the poverty of which might be gauged by the valuation £12,127, while the population is 12,800; whether he has received a copy of the resolution passed by the Poor Law Board that "unless relief works be opened immediately hundreds of deaths will occur before many days;" and whether he will undertake to give prompt attention to the conditions of the Ballyhaunis dispensary district?

MR. MADDEN: The resolution referred to in the question has been received, and is now under consideration.

MR. CRILLY; I beg to ask the Attorney General for Ireland if he is aware that numbers of poor people are vainly seeking for relief-work in the parish of Kilcommon-Erris, County Mayo; that this parish contains 472 holdings, each of an annual valuation of £4 or under; and if there is any Local Authority competent to afford immediate assistance; and, if not, will steps be taken to relieve the existing distress as quickly as possible?

MR. MADDEN: There are several relief works in actual progress in the electoral division which contains the parish of Kilcommon. Employment is given to a considerable number of persons on these works.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Attorney General for Ireland whether it is the intention of the Government to ask for a further Vote to complete the schemes of railway extension considered urgently necessary in the poorer districts of Ireland? The hon. Member also asked whether the right hon. and learned Gentleman is aware that of the 1,000 families in the district of Gweedore, 800 are necessarily dependent for food for four months in the year, from May to August, upon meal supplied on credit by merchants and shopkeepers; that, owing to the failure of last year's potato crop, this meal supply on credit commenced in October last, and has now exhausted the resources of the shopkeepers, who are being compelled to refuse further credit; and that some 5,000 persons are in absolute destitution; whether the Government intend to start any railway works in the neighbourhood; and, if so, when; whether any employment of any kind has yet been started on relief works, such as roadmaking, or otherwise; and what steps have been taken to avert starvation within the present month?

MR. MADDEN: In all probability the sum available under the Act of 1889 will not cover the scheme of railway construction which has been undertaken, and in that case a further Vote must, of course, be asked for.

MR. SEXTON: May I ask whether the Government intend to take any steps for the relief of distress in the Gweedore district, where some 800 families, including 5,000 persons, are in a state of absolute destitution?

MR. MADDEN: The circumstances of the Gweedore district are receiving careful consideration, and inquiries are proceeding. As regards the suggested railway works the Government have no funds at their disposal for the purpose.

MR. T. M. HEALY: How soon may we expect that the Chief Secretary's fund will be utilised?

MR. DALTON: Is the right hon. Gentleman aware that the system for administering relief is viewed with considerable dissatisfaction, not only in Donegal, but throughout Ireland; and has he seen a letter from the Rev. Father M'Fadden, in which he declares that no proper steps have been taken to meet the distress at Gweedore?

MR. MADDEN: I am not aware of the opinions of Father M'Fadden. The action of the Government in dealing with distress in Ireland is, I am thankful to say, regarded by my countrymen generally with very different feelings from those attributed to them by the hon. and learned Member.

MR. SEXTON: The question on the Paper points out that there are 800 families in that district who have no means of living. There are £50,000 in Dublin Castle, and I wish to know how soon the inquiries instituted on behalf of the Government are likely to result in the provision of relief works?

MR. MADDEN: I am not able to give specific information as to the distribution of the fund raised by my right hon. Friend. It is not for the House to infer that most active steps are not being taken by the Government in carrying out a system of relief.

THE IRISH POST OFFICE SAVINGS BANK.

Mr. CRILLY (Mayo, N.): I beg to ask the Postmaster General whether, in view of the great inconvenience caused depositors in the Post Office Savings Bank resident in Ireland by the delay in the withdrawal of money, and considering that such delay tends to drive would-be depositors to the local trustee savings banks, he would consider whether it would be possible, in the interests both of the depositors and the Post Office, that the Irish section of the accounts should be kept at, and administered in connection with, the General Post Office, Dublin?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): There would, I fear, be practical difficulties in the way; but the hon. Member's suggestion shall be fully considered. I am glad to be able to re-assure him as to the present state of the deposits at the Government Savings Banks in Ireland. The average deposit per depositor is something double the amount per depositor in Scotland, and considerably more than the average amount standing in the name of any depositor in England, and while the deposits in the old trustee banks in Ireland have remained stationary during the last five years, those in the Government banks have increased by about a million of money, or about 42 per cent.

THE LAND COMMISSION COURT.

Mr. T. M. HEALY: I beg to ask the Attorney General for Ireland if his attention has been called to the following statement in the *Freeman's Journal*, of 3rd February—

> "In the Land Commission Court yesterday, Mr. Justice Bewley, pursuant to the provisions of the Land Purchase Act, sat with the Land Purchase Commissioners, Messrs. Lynch and MacCarthy, to hear a legal argument. At the close of the case, Mr. Justice Bewley delivered the judgment of the Court. When he had finished, Mr. Commissioner Lynch proceeded to add his judgment, but Mr. Justice Bewley promptly interposed, and declined to allow him to proceed. 'I, and I alone,' said his lordship in effect, 'am the Judge in all matters of law, and I cannot permit any observations to be made by way of supplement or otherwise to my judgment.'"

what are the actual facts; and is the right of Commissioners Lynch and MacCarthy to co-ordinate jurisdiction with Judge Bewley in dispute; and if so, where is the distinction to be found?

Mr. MADDEN: It appears that a question of law in regard to the redemption of tithe rent-charge was raised in the course of proceedings before the Land Purchase Commissioners, and an appeal from the decision of the Commissioners was taken to the Court of Appeal. On the argument of the appeal, it appeared that the matter had not been submitted to the Judicial Commissioner for his determination, and the Court sent it back in order that the question of law might be heard and determined by the Judicial Commissioner under the provisions of the 17th Section of the Purchase of Land (Ireland) Act, 1885. I have not the means of obtaining an official report as to what occurred on the occasion in question. But the observations attributed to the learned Judge would be perfectly accurate in relation to such a proceeding, in which the duty of hearing and determining the question of law referred to him devolves on the Judicial Commissioner, and on him alone.

PUBLIC BUSINESS.

Mr. W. E. GLADSTONE (Mid Lothian): Will the right hon. Gentleman have the kindness to explain to the House the intention of Her Majesty's Government in regard to the course of business on Government nights next week—Monday and Thursday?

*Mr. W. H. SMITH: I am obliged to the right hon. Gentleman for asking that question. He is aware that the Government desired to place Monday and Thursday next at the disposal of the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) for the Vote of Censure of which he has given notice; but that desire was coupled with the condition that previously to the consideration of that Motion the Tithe Bill should have passed through the remaining stages in this House. I regret that sufficient progress has not been made with that measure to enable the Government to carry out their original intention. The Tithe Bill stands on the Paper for this evening, but, unfortunately, looking at the number of Notices of Motion on the Paper, I am afraid there is very little chance of reaching it. I should not, therefore, be justified in asking hon. Gentlemen who take an interest in that measure to remain in attendance in the House on the bare chance of its being reached before 12 o'clock. Under these circumstances, the further consideration of the Tithe Bill must stand over until Monday, and if the Bill is not passed on that day I am afraid I must ask the House for further facilities for the completion of this measure. If we should complete the Bill on Monday, or before Thursday next, I shall ask the House to consider the Motion of the right hon. Gentleman on Thursday. It is understood, I think, under the circumstances of Public Business, that no more than two Government days will be occupied in the discussion. If we should not reach the Motion on Thursday, I am afraid I cannot now make any arrangements with regard to it. The pressure of Public Business makes it impossible for me to do so. I think it will be felt that I have made every effort on the part of the Government to meet the reasonable desire of the right hon. Gentleman to challenge the conduct of the Government. I trust, however, that the House will dispose of the Tithe Bill before Thursday, so that we may be in a position to entertain the Motion of the right hon. Gentleman on that day.

MR. W. E. GLADSTONE: I wish to say, on the part of my right hon. Friend and myself, that I think the right hon. Gentleman has been perfectly fair and just in his proceedings with regard to the appointment of a time for my right hon. Friend's Motion. I agree with him in thinking that two nights are as much as can be fairly asked for the discussion of the Motion. That is quite understood. Nor am I surprised at his saying that it may be necessary for him, if we are not able to reach the Motion on Thursday, to allow a further period to elapse before making a positive arrangement. The right hon. Gentleman did not mention the cause, but I venture to assume that the cause is that the time of year has arrived when it is requisite for him to take some steps for making some progress in Supply. If that is so, it is a perfectly satisfactory reason.

***MR. W. H. SMITH**: Yes, Sir, that is the reason. I am most anxious not to trespass upon the time of private Members, if I can avoid doing so.

MR. SEXTON: I hope that due notice will be given to the Irish Members of the day when the Motion of the right hon. Gentleman the Member for Newcastle will be discussed.

***MR. W. H. SMITH**: I am sure the hon. Gentleman will see that I always desire as much as I possibly can to consider the convenience of the Irish Members. I should hope that by Tuesday it will be perfectly clear to the House when the Motion can be taken.

MR. LEA (Londonderry S.): Can the right hon. Gentleman give us any information as to when the Irish Land Bill will come on?

***MR. W. H. SMITH**: I cannot say when that Bill will be taken at present. When we reach it we shall take it from day to day.

COLONISATION.

Ordered, That a message be sent to the Lords, to request that their Lordships will be pleased to give leave to the Viscount Gordon to attend to be examined as a witness before the Select Committee on Colonisation.—(*Sir James Fergusson.*)

ORDER OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

LIVERYMEN OF THE CITY OF LONDON.

(4.29.) **MR. J. ROWLANDS** (Finsbury, E.) rose to call attention to the Livery Franchise of the City of London; and to move—

> "That, in the opinion of this House, the time has arrived when the Government should, in accordance with the recommendation of the Report of the City Livery Charities Commission, take action to abolish the anomalous franchise now possessed by the Liverymen of the City of London, which gives a vote to persons who have no direct residential or business connection with the City, and thus increases the evils arising from the defective state of the Registration Laws, whereby many

persons are prevented from becoming qualified electors, while others become entitled to a plurality of votes."

The hon. Member said: This is a question which has not been brought before the House for some considerable time. On the last occasion it was brought forward by the hon. Member for Gateshead (Mr. James) in the year 1879. I shall have to trouble the House with a short history of this franchise, but I can promise that I will not go into any lengthened detail. At one time the 74 Companies that existed in the City had an actual life and being in connection with the crafts they represented. At the present time there are 12 great or wealthy Companies, owning a large amount of property, possessing most of them magnificent halls, and having a close livery. It is not to any great extent with them that we have to deal this evening. Besides these, however, there are 62 companies, which are known as the minor companies. Most of them are not at all wealthy, many of them have no permanent residences of their own; the fee for entering their liveries is a moderate one, and the liveries with their privileges are used as sources of revenue to the companies. I hope to be able to demonstrate to the House that this granting of the privileges of the livery for sums of money is not only detrimental to the life of the companies themselves, but leads to the manufacture of faggot-votes for the city of London. The origin of the Guilds is known, I believe, to all Members of the House. In early days they were representative of and had control of their particular crafts. They filled much the same position in connection with the commerce of the City of London as the chambers of commerce and trades' unions fill to-day. They dealt with all questions in connection with their crafts. How far they have fallen away from that position is well-known, and I think if you were to take the list of liverymen to-day you would find that many of the companies have no connection whatever with the crafts they are supposed to represent. It is most amusing to me on St. Thomas's Day to see a watchmaker putting in a plea for election as member of, say, the Spectacle Makers' Company on the ground that he is a watchmaker. There are few freemen who are members of the craft with which the company is nominally connected, and still fewer who have obtained admission to the livery by that which ought to be the only legitimate means, namely, that of having served an apprenticeship to the craft. The companies had many privileges down to a certain period of their history, but it is a good many years ago since they virtually lost all power over their trade. There are one or two of them which have some connection with the industries they are supposed to represent, and I am pleased to say there are one or two others which, whilst they have no legal control over their trades, still take some interest in the technical development of those trades. There are four means by which a person can become a member of one of these companies. The first is apprenticeship, the second patrimony, the third redemption or purchase, and the fourth election out of compliment in the case of a man of distinction. I think the Grocers' Company is only one to which admission cannot be obtained by purchase. Entrance by means of apprenticeship has largely ceased to be employed on account of the corruption of the apprenticeship system. There are, however, still many of the companies that keep up the system of apprenticeship, although they do not necessarily have what are technically known as City apprentices. But I am sorry to say that in connection with this honourable means of getting into companies very great abuses have sprung up. Persons are nominally apprenticed and, without having served in the trade, are at the end of seven years admitted to the livery upon the testimony of their nominal masters that they have served their time. This I look upon as a very dishonest means of admission to a company. The person who thus enters a company does not, however, at once become a liveryman. In the larger companies it is difficult to get into the livery, but some of the smaller companies go about touting for liverymen with the object of getting the 25 or 30 guineas that are paid as an admission fee. The governing body of a City Company is called the Court of Assistants or the Court of Wardens, and is appointed from the livery. I am not going to trouble the

House by referring to the many Charters by which various privileges were given to City Companies. I will simply say that about the year 1435, the liverymen were given the right of voting for Members of Parliament for the City of London. At that time the City of London was really London, and within the city walls throbbed the life of the Metropolis. The banker lived over his counting-house, the artisan over his workshop, and the merchant over his warehouse. The franchise was then absolutely a popular franchise and one which could only be illustrated to-day by referring to our own system of household suffrage. It meant that all engaged in the various occupations and trades had a right to vote because they belong to a Guild and wore its livery. Of such a franchise as that no one could possibly complain, but what is the state of things now? These Guilds have lost their hold upon particular industries. Within the square mile of the City the life of London does not exist to-day. It has gone far beyond, and those who carry on the various avocations to-day do not think it necessary to belong to the Guilds. We have an entirely altered state of things in the City. Those who lived in the City of London in byegone times simply carry on business there now, and those who carry on business there have a qualification which gives them a dual suffrage, and I do not know why, whilst they are liverymen, they should have any other vote than that of liverymen. Yet this franchise is enjoyed, not only by these persons, but by persons who have no connection whatever with the City of London, directly or indirectly, and who do not live within its walls. The charters of these Companies in many cases limited the number of liverymen, and the Court of Common Council has done the same. But I want to call attention to this peculiar anomaly: As a rule it is considered that it is this House which increases the number of electors under any qualification, but in the case of these Companies it is not the House that extends the number of liverymen. It actually rests with the Court of Aldermen to say whether the number of liverymen in a particular company shall be increased. I would trouble the House with an illustration of this taken from the proceedings of the Court of Aldermen itself. In the year 1880 a Report was brought up from the General Purposes Committee of the Court of Aldermen upon a Petition from the Needle Makers' Company for an increase in the number of their livery. At the formation of the Company the number was fixed at 50. The Report suggested that the number should be increased to 100, and that the fee for admission should be increased from £5 10s. to 25 guineas. In the discussion that took place some of the City fathers protested strongly against the proposed increase. The Report of the General Purposes Committee of the Court of Aldermen having recommended an increase of 100, an Amendment was moved that the number should be 200. Sir Thomas Gabriel protested against the proposal, which amounted to a sale of votes for the City at 25 guineas apiece in the interest of a Company that might be in want of money; and another gentleman not unknown to this House—Alderman Sir Andrew Lusk—described the proceeding as the "creation of new faggot-votes at a cost of 25 guineas each." But, in spite of the wise advice of these and other gentlemen, the Court of Aldermen passed the Amendment, and created 200 new liverymen of one Company, and, be it observed, this is by no means one of the 12 large City Companies. Does any hon. or right hon. Gentleman here think that is a state of things which can be depended on? Does the House think that the right of voting for Members of this honourable House ought to be bartered away in that manner? Does it not think that there should be a substantial reason for a qualification—a much stronger one than the mere poverty of one of these Companies who want something to put into their coffers, and get that something for a sum which, to the wealthy nonentities who seek the livery, is a miserable pittance. The average gross annual increase in the number of persons on the livery is 500, but this figure is reduced to about 133 owing to deaths and objections sustained in the Revising Barrister's Court. A most extraordinary feature of the increase of the livery was that it took place mainly since the election of 1868. Was the motive of those responsible for the increase a desire to influence the representation of the City? I shall probably be told, as Mr. Alderman Cotton said when the question was brought forward on a former occasion by the hon. Member for Gateshead :—

> "That two-thirds or three-fourths of the liverymen had votes independent of their freemanship in respect of premises which they occupied in the City."

I have no doubt that point will be raised again, and that we shall be told "Well, it is quite true that a number of persons are on the franchise of the City for the livery, but if they were not in it in that way, they ought to be in some other way." Let us consider whether this statement is well founded. An analysis has been made of the present register of the City of London. It contains 32,728 electors. If the 629 county electors are deducted there is a register of 32,099 electors. The total number of livery votes included in that figure is 7,756, and deducting 1,950 voters who appear on the occupier's list, there are left on the register a total of 5,806 voters who have no qualification as owners of business premises or as residents. That is a little circumstance that requires to be got over. We are told "Oh! it is true that an anomaly exists, it is a survival of the fittest, and does not do much damage." As I have said, there has been an extraordinary development of the Livery Vote since the election of 1868. I will not trouble the House with many figures, but I should just like to mention what the increase has been since that date. I will give one or two examples of the way in which the voting power has gone up in connection with some of the minor companies—for I am not bringing a charge of a large increase against the larger companies, who are too Conservative to add to their numbers. The Basket Makers' in 1868 had one registered liveryman; in 1885, 27; and in 1891, 29. The Fan Makers' had 13 in 1868, 102 in 1885, 103 in 1891. The Framework Knitters' in the same years 21, 65, and 77; the Glovers', 34, 12, and 91; the Horners' 8, 11, and 41; the Needle Makers' 47, 104, and 83; the Pattern Makers', 20, 40, and 40; the Shipwrights' 26, 188, and 185; and the Tinplate Workers', 9, 65, and 56. In 1868 there were 6,131 persons on the Register for the City with a livery qualification; the number rose in 1885, and now it stands at 7,756. These figures speak for themselves. They are very interesting, and show the way in which the franchise is still increasing. I maintain that it is indefensible, and ought to have been abolished years ago. The livery franchise ought really to have been swept away in 1832, when the Reform Act was passed, and when a great number of these franchises were discontinued. Unfortunately, instead of being put an end to, the privileges of registered liverymen were enlarged under that Act, and also subsequently under the Representation of the People Act of 1867, the residential qualification being extended from a seven mile radius to a 25 mile radius of the City. In all parts of the country, except the City of London, a person to have a vote under a non-residential qualification must reside within seven miles of his business premises, but in the City of London, instead of seven miles, you have a radius of 25 miles, which takes in a large part of the country, and enables the register of the City to be swelled enormously. The City is already over-represented, and if it were treated like suburban constituencies the non-residential electors would have to go, and it would be impossible to make the register up to 32,000. Then it would be impossible for the City to claim two representatives, as compared with other parts of the country. Put London in the same position as other constituencies, and how does it stand? The unfortunate lodger who has to move into the next street is disqualified. The lodger qualification is a delusion, a snare, and a fraud to those unfortunate people who cannot take the whole of a house, and where they come under the absurd definition of lodgers, and by which they are robbed continually of the right to elect Members of this House. The City is the spoiled child of this House, and I await with a great deal of interest the defence which the representatives of the City may make against this fancy franchise of theirs. A man may have premises outside the City, and he has his vote as a City Liveryman, and he has his residential vote. And this is the way in which they create a legitimate representation of the people on great Imperial questions which are decided at the General Election. One defence of this is that it is ancient. It is ancient. Good in its origin, I will admit; now entirely superseded. We do not defend everything ancient. We do not believe a system of taxation good because it may have existed since the time of Elizabeth, though there are some illustrious people in this country who hold that opinion. It is said that liverymen are freeholders, and if that is so, every freeman of one of the large and wealthy companies is also a freeholder, because he is interested in the property of his company just as much as a liveryman. If that defence is put forward, you must be prepared to go a little further and ask for the qualification of the freemen of the City Companies as well as the City Liverymen. I do not know what defence can be put forward. I admit there is something sentimental in the defence of the representation of the Universities, by which learning is represented in this House—though in practice, the theory has not always been carried out, because when Oxford had the chance of turning out two of her best sons—Sir Robert Peel and the right hon. Gentleman, the Member for Mid Lothian—Oxford took very good care to do it. I say there is only one course for the City, and it would be wise to accept it. The only remedy is that the evil should cease to exist. It is a blunder to resist reform, and the City should learn to march with the times. I am not going to ask the House to endorse the Report of the Royal Commission, namely—

> "We think no further admission to the Livery Company should confer the Parliamentary franchise, and that such Act should contain a provision to this effect."

That is signed: Lord Derby, the Duke of Bedford, Lord Sherbrooke, Lord Coleridge, Sydney W. Waterlow, Albert Pell, the late Mr. J. F. B. Firth, and my hon. Friend, the Member for Morpeth. Those were the Commissioners who reported that the time had come when this ridiculous and anomalous franchise should cease to exist. I shall be told that there was a Minority Report. There was, and it was to the effect that the recommendation did not come within the scope of the reference to the Royal Commission. That Report was signed by Sir Richard Assheton Cross, Baron de Rothschild, and Mr. Alderman W. J. R. Cotton. The first two have gone to another place, where Radicals cease from troubling and Tories are at rest; and Mr. Alderman Cotton has disappeared from the political arena, owing to the activity of the hon. Baronet opposite, and to the gratitude of the City of London for the way in which he fought all these questions when he was here. I am, therefore, asking the House to support my Motion because it has been recommended by the vast majority of a strong Royal Commission. Out of the three who signed the minority, two of them were Representatives of the City of London.

*SIR R. FOWLER (London): Not Lord Rothschild. His father was.

MR. ROWLANDS: Then I made a mistake. A strong whip has been issued against this Motion, and the opponents of this proposition in a Report say—

> "The Companies consist of freemen, skilled artisans, partly of liverymen and for the most part of the middle classes, and they pay a considerable fee to the common purse to take out the livery."

That is not a popular recommendation, nor one that will do the City much good outside it own borders. It is for these gentlemen to consider whether they should always be putting themselves in antagonism to the popular sentiment. Another extract from the Report of these friends of the liverymen says—

> "So far as we can judge, no movement whatever exists in London either against the City or against the Livery Companies."

Lord Cross reported there was no demand for municipal reform in London. Yet the very Government of which he was a member carried the Local Government scheme for which London was struggling. Is the same course going to be pursued now—that of denying the demand for this reform? When the Government had to swallow the bitter pill that was given them by the right hon. Gentleman the Member for Derby, whose Bill they opposed, I will not say by what means, in 1884, they took care of the continuity of the City of London by placing it at the head of London. They were successful then, but if they think that they are going to shelve this question to-day, they make a great mistake. If they resist this reform, they will simply draw public attention to the methods of the City, and be compelled to reform. I admit that this is only one branch of a bigger subject which will have to engross the attention of the country. I have troubled the House with this Motion because I think it a very anomalous qualification which exists in the City. I believe outside of London very few people are aware of it, and I shall consider I have done some good if I achieve nothing more than having called the attention of the public to this franchise. We must purify the means of election to this House. As long as you can in any part of the country purchase a vote for the election of a Parliamentary representative, it is a duty to fight against it, and not rest until the abuse is swept from the Statute Book.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the time has arrived when the Government should, in accordance with the recommendation of the Report of the City Livery Charities Commission, take action to abolish the anomalous franchise now possessed by the liverymen of the City of London, which gives a vote to persons who have no direct residential or business connection with the City, and thus increases the evils arising from the defective state of the Registration Laws, whereby many persons are prevented from becoming qualified electors, while others become entitled to a plurality of votes,"—(*Mr. James Rowlands,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(5.13.) MR. BEAUFOY (Lambeth, Kennington): I think Representatives of Metropolitan constituencies may be excused for bringing before this House a question affecting London, for London matters do not receive that attention in this House to which they are justly entitled. I ask the House to carefully consider its vote on this occasion, because if it be adverse it will be considered out of doors that the time of the Royal Commission was wasted, and that the sooner some other method of inquiry is adopted, and some other way of bringing this question into publicity, the better it will be for the pockets of the people and the advancement of public business. It seems to me that if the Report of the Royal Commission was justified in 1884, it is more justified in 1891, because the Redistribution Bill of 1885 swept away a great many anomalies, leaving this one standing alone like an island surrounded by the sea. The representatives of the City would act wisely if they did something to carry this Resolution into effect. Of the many arguments used for the retention of this livery qualification, none appears of any worth whatever. Of course, we shall be told that this livery franchise represents the wealth and intelligence of the City of London. It seems to me that wealth is only too well represented in this House already, for in the majority of cases the qualification for a seat in this House is that its possessor should be a man of wealth, or, at all events, of a competence; and it also seems to me that we can only hope to deal with social questions in a safe and reasonable way, not by electing a large number of wealthy representatives, but by the introduction of more Members belonging to the working class, who would represent the wants and wishes of the masses of the people. But it is also said that these livery votes represent trade; undoubtedly, as my hon. Friend has shown, they did at one period represent the trade and commerce of this country, and to a certain extent we are under obligations to the City of London for the manly way in which the liveries stood up for liberty in days gone by; but if hon. Members will refer to the Report of the Royal Commission, they will, on reading page 19, come to the conclusion that the claim of the liverymen of London to represent trade is a fraud and a hollow sham, and rests on no solid foundation. Doubtless they do perform certain duties, but these are few and trivial, and there are none of them that could not be much better discharged by properly constituted and competent public authorities than is the case at the present moment. Let me take, as an example, the Fishmongers' Company. That Company does, I believe, exercise a certain amount of control over Billingsgate Market, and for that we are greatly obliged to them; but there is no other city in the world that would be content to leave the control of the purification

and regulation of a large and important supply of the food of its inhabitants in the hands of an irresponsible private body. Surely, if such a market is to be controlled at all, it should be by some body which is itself amenable to public control and not by an irresponsible company who may or who may not discharge their duties. It is, moreover, a matter of fact that even in the discharge of this duty it has no statutory warrant, but its action is simply referable to a memorial custom which has existed in the City, and which renders it exceedingly difficult for any alteration to be made. It seems to me that even if it were desirable that trade should have a special representation in this House, and that we should here admit the representatives of special class interests, the City Companies are by no means the best representatives that could be found. Take, for instance, the Apothecaries' Company. They perform a certain public duty, and may in some degree be said to represent medicine, but if medicine is to be represented, it ought not to be by the Apothecaries' Company. Why should we not go to the College of Physicians or the College of Surgeons, and ask them to send representatives to this House—men who should represent not the very base and bottom of the profession, but the higher degrees of that profession, who might be expected to speak with weight and authority in this assembly. Again, there is the Scriveners' Company, who may be said in some sense to represent the public interest, because they institute examinations for notaries. I must confess that I am not very clear in my own mind as to what a notary is, but, at any rate, a notary cannot act in the City of London unless he has passed the examination instituted by the Scriveners' Company. Although in some degree that Company represents the lower branches of the legal profession, if we were to allow them to send representatives here we should be doing a gross injustice to the rest of the profession, because we should be ignoring the Incorporated Law Society, which in every sense is more fitted to represent the law. Therefore it appears to me that the claim made in support of the livery franchise on the ground of the representation of trade must, under these circumstances, fall to the ground. In point of fact these gentlemen are not the representatives of trade, they represent no one but themselves. Hon. Members may remember the very interesting speech which was made by the hon. Member for Dundee some time ago on the question of the University franchise. Everyone who heard that speech must have felt that the hon. Gentleman had an exceedingly good case. He urged that all these fancy franchises were bad, but if the University franchise is bad it is not nearly so bad or so mischievous as the livery franchise, because the University is an independent constituency in itself. The members of the University return a representative of their own, and do not interfere with any other constituency, but in the case of the Livery Companies the liverymen swamp and overturn the votes of people much better qualified for the exercise of the franchise. To this extent the livery franchise is wrong. We have had already heard something about the minority Report signed by three eminent gentlemen, members of the Commission, who came to the conclusion that this subject of the livery franchise did not come within the scope of that inquiry, but however eminent these gentlemen might be, it appears that their colleagues did not agree with them, as they were in a minority. But there was one representative of the City who was really true to his colours, and who in a Report drawn up by himself defended the livery franchise up to the hilt, a procedure more creditable to the zeal than to the understanding of the hon. Gentleman. He seemed to think we ought not to disfranchise anybody. I may say that personally I have no such desire, but I think we ought to see that before we give superfluous votes everybody who is entitled to a vote should have that vote. Therefore we are anxious to remove this stumbling block to the proper exercise of the franchise, in order that we may be enabled to do justice to those thousands of the working classes who have difficulty in getting upon the register, not because they are not substantially qualified, but because they are excluded by the conditions of residence. Having adopted one general form of franchise, it seems to me that these exceptions in favor of a particular class are most invidious and unsatisfactory, and I think the House would do well to show by its vote to-night that it will no longer allow such a state of things to continue. We may be told that this Motion is an attack upon the City. For my own part, I may say that if I am engaged in an attack on the City I am only doing one of those things for which I was sent to this House. The City is not in particularly good odour just now outside its own particular boundaries. The people outside the City are conscious they are suffering grievous injustice on account of the exceptional position occupied by the City itself, and they desire to get this injustice remedied. We may be told that this is not an opportune time for bringing this subject forward. We are told the minority have no right to stir in these matters. But, although we are now in a minority, I have no doubt that that state of things will undergo a change before very long. We have already had more than one bye-election, in which the principles we profess have predominated, and we have had a County Council election which was indicative of a state of feeling very different from that which made the Parliamentary representation of the Metropolis what it is. I appeal to hon. Members opposite, and especially to those members of the County Council who have seats in this House, although, as a rule, they are supporters of the Government, to give us their assistance in carrying this Resolution; it is quite time we should take this matter into serious consideration. There have been many difficulties in obtaining the opportunity we have now secured. Only last year my hon. Friend secured a day for his Motion, but at the last moment the Government swooped down upon us and appropriated it themselves. Only the other day the Motion was in imminent jeopardy of suffering a similar fate on this occasion: but, having at last obtained the opportunity of thoroughly ventilating the question, I hope that we shall show that if we may not be in a majority, nevertheless a very large number of Members of this House regard the livery vote as an injurious monopoly, which is wrong in principle, as introducing a fancy franchise into the Constitution, and a monstrous injustice to that greater London whose claims for recollection have been so long ignored.

*(5.30.) VISCOUNT LYMINGTON (Devon, S. Molton): I very much regret that the hon. Members who have already spoken have treated the question very much from a Party point of view, for it is impossible to argue the question entirely on Party grounds. The hon. Member who brought forward the Motion has given the House an interesting history of livery franchise, which was, however, abruptly cut short at the year 1867. Since that date a great Reform Bill has been passed by the Liberal Party at the time when it was at the zenith of its power, both in numbers, and unity, and cohesion; and if livery franchise is absolutely inconsistent with all Liberal principles it is strange that the right hon. Gentleman the Member for Mid Lothian, or the right hon. Gentleman the Member for the Bridgeton Division, should not have exercised their great influence and have brought the matter before the House. As to what had been said in regard to the recommendations of the City Livery Charities Commission, I never heard a Report of a Royal Commission treated so curiously as the Mover of the Resolution has treated the Report of that Commission. In the first place, he singled out a particular clause from a general Report, and founded his case upon it. This, it seems to me, is essentially a question which can only be properly dealt with, if at all, as a whole, in a comprehensive measure, and not in piecemeal manner, that is now being attempted. I particularly object to the process of picking out from a Report a special clause and dealing with it by itself, irrespective of its bearing on other parts of the Report. The hon. Member asks the House to support his Motion in accordance with the recommendation of the Commission; and to abolish the anomalous franchise now possessed by the City of London liverymen. But that is precisely what the

Report avoids recommending; and, as a matter of fact, the recommendations of the Commission are not in accordance with the hon. Gentleman's Motion. The Report recommends that in future no further cases of livery franchise shall be created, but it did not propose to abolish the existing franchise. My hon. Friend's Motion, on the contrary, is a Motion for disenfranchisement. Again, Sir, it is quite contrary to the facts of the case to state that the livery franchise gives a vote to persons who have no direct business connection with the City. I think that by examples I can practically show the absurdity of that statement. It has always been felt that the City occupies a peculiar position as being, though not a place of residence, the centre of the commerce of the world. Owing to the fact that many great business concerns have been converted into Joint Stock Companies, many of the most representative men in the City would not have a vote for the City if they did not exercise the franchise as members of livery companies. The hon. Baronet the Member for the City of London is in that position, as are the hon. Member for the Sevenoaks Division of Kent, Mr. Tufnell the Chairman of the Royal Mail Steamship Company, and the great Spicer firm, the great Nonconformist firm in the City; owing to the fact that for general convenience it is the custom to register banks and other Joint Stock Companies in the names of their secretaries only, it follows that but for such votes as those conferred by the livery franchise some of the most influential, important, wealthy, and intelligent men in the City would otherwise be utterly unrepresented.

MR. ROWLANDS: Why should they not be?

*VISCOUNT LYMINGTON: I am endeavouring to disprove the statement that the livery voters do not really represent large and important interests. The hon. Member who brought forward the Motion said that the result of the livery franchise is the manufacture of faggot-votes. If so, it is the most expensive process of manufacture that I have heard of. If any Livery Company wishes to enlarge its franchise for political purposes it must first be free from the common restriction, by charter, of the number of its members. In the second place you would have, if I may use the phrase, to "square" that particular company, and having done that you would have also to "square" the Court of Aldermen, which is an open court in which political opinions for a long time have been equally divided. Then, if permission to increase the number of liverymen had been obtained, the faggot-voters would have to be elected by their companies, and as there are representatives of both parties in every company, the new liverymen would not be all of one party. A stronger objection is that a liveryman must have held his position for a year before he can exercise his franchise. Having made careful investigation, I find that the least amount for which any one can become a livery man is £30. That is in the Plumbers' Company. I think that in his calculation my hon. Friend forgot that in addition to the fees to be paid to the Court there is a Stamp Duty of three guineas to be paid to the Government. Again, the livery fines vary considerably. In the Mercers Company the Livery fine is only £4 13s., whereas the freedom fine is £200. I do not think my hon. Friend has adduced any argument in favour of dealing with this question by piece-meal legislation. On the contrary, the facts show that the livery franchise can be used by no political party for corrupt purposes. At the time when the Liberal Party was not very popular in the counties I saw something of the creation of faggot-votes, and I know that six or seven votes were usually created for £30. Faggot-votes may or may not be an abuse of the Parliamentary franchise, but it is clear that the livery franchise cannot be utilised for the manufacture of faggot-votes. As regards the general question, it seems to me that the City of London stands in a quite exceptional position as the centre of the commerce of the country, and as the head of the commerce of the world. Its position in commerce is in fact analogous to that occupied by the Universities in relation to the representation of learning. The arguments of the hon. Members are based on conditions which cannot obtain, and they have not advanced one single case of the abuses they allege. There are anomalies of all kinds in the Parliamentary franchise, and if the House is to remove all anomalies and to proceed purely on the principle of "One man one vote" in settling the franchise, it must be based strictly on population. Then the number of the Irish Representatives would have to be curtailed. I hope that the Government and the House will decline to accept the proposal of the hon. Member, because it is not justifiable in itself, and does not carry out the statements made in the Amendment. If the question is to be dealt with at all, it must be dealt with carefully and comprehensively, and not in the piecemeal manner proposed.

*(5.45.) MR. KIMBER (Wandsworth): As the noble Lord has pointed out, the Report of the Royal Commission upon which the Motion before the House is avowedly based contains, as a matter of fact, no such recommendations as those attributed to it. The words of the Resolution request the Government to take action to abolish the right of voting now possessed; whereas the Report of the Royal Commission merely recommends that no further franchise shall be conferred, and that any future Act on the subject shall contain provisions to this effect. The hon. Member, in moving the Resolution, has admitted that it deals with only a small part of a large question. It would, indeed, be altogether inconsistent and unwise on the part of the House to attempt to abolish in this fashion a franchise which has been in existence for 500 years, seeing especially that the whole subject of representation in the House of Commons has been carefully reviewed and dealt with more than once of recent years. The hon. Member (Mr. J. Rowlands) who introduced the Motion pronounced the livery franchise to be ridiculous. But what makes it ridiculous, and since when has it become so? The whole subject was carefully considered in 1832. It was considered again by the leaders of the two Parties in solemn conclave in 1867. It was reviewed again, I imagine with equal care, in 1884, and on each occasion it may be presumed that the political leaders for good reasons held the franchise to be fair and just. Yet now we are asked to reverse these decisions, and, by so doing, virtually to pass a Vote of Censure on those former Parliaments which deliberately arrived at this decision. The hon. Member seems to have been a little wrong in his arithmetic. He told the House that these abominable creatures, livery voters, increased at the rate of 500 a year. How can he make that out, when their number in 1868 was only 6,000, and now it was only 7,700?

MR. J. ROWLANDS: I gave 500 as the gross average increase, but said that deaths and other causes——

*MR. KIMBER: Even then the hon. Member's figures are not correct, as the increase in 22 years has been only from 6,000 to 7,700. I do not wish to impute to him that he says what he does not believe, but these inaccuracies make his case all the more lamentable, seeing that he bases it upon such fallacies. The fact should not be forgotten, in considering the qualifications of the liverymen as voters, that as members of the Livery Companies they are called upon to perform certain duties and to exercise certain rights. It is an old and respected maxim that representation should go along with taxation. What is the position of the Livery Companies in this respect? They have corporate property belonging to them, property which by the law they can divide amongst themselves to-morrow if they wish, and on that property they have been deliberately taxed, by the present House of Commons and by the present Chancellor of the Exchequer, higher than any other class of the community. I allude to the £5 per cent. levied on their corporate revenues. If these liverymen are amenable to taxation on their property, then surely they have rights of representation in connection with it. Why should those rights be taken away and the taxation left? It seems to me that the word "confiscation" would be a mild one to apply to such a proceeding. Then, again, we are told that this livery franchise results in nothing less than faggot voters and votes to be purchased by money payments. But what is the ordinary franchise itself? Upon the payment of 4s. a week, or £10 a year, anyone who wishes can obtain a vote. That is a very small sum compared with what a livery vote costs. At the end of the Motion it is stated that the existence of the livery franchise increases the evils arising from the defective state of the Registration Laws,

> "Whereby many persons are prevented from becoming qualified electors, while others become entitled to a plurality of votes."

In regard to the first of the two last statements it is, so far as I can see, absolutely meaningless and unintelligible. As to the second statement, it seems to imply that the hon. Member is under the delusion that residents in the City, if they are liverymen as well, possess two votes.

MR. J. ROWLANDS: Oh, no.

*MR. KIMBER: Then the hon. Member must mean in his Resolution to ask the House to support the principle of "one man one vote," because that is the only other interpretation which can be put upon his words. If that is so, I shall be glad to hear it, because that will obviously involve a still more serious alteration in the present law of representation. Then the hon. Member has admitted that on the register of the City Companies there are 5,800 voters, none of whom possess, he says, any qualification other than their connection with a Livery Company. Now he cannot have taken the slightest pains to ascertain what those figures really mean. There are, as a matter of fact—and as I know from personal knowledge—large numbers of men, junior members of firms, head clerks, and so forth, who perform some of the most important and laborious work in the City of London, and yet who, but for their connection with the City Companies, would not be entitled to any votes whatever. In the case of my own firm, for instance, neither of the two junior members, both graduates of Oxford University, and otherwise well fitted to exercise the franchise, was entitled to a vote, as each lived under the paternal roof, and neither has any sort of interest in the business premises. These are the cases which the livery franchise meet. The Act of 1867 was a measure as to the necessity of which all parties are agreed. It cannot be said to have been a Conservative Act, although it was passed by a Conservative Government. What was the state of things in the City at the time? The City was represented by four Liberals, and it was not until the election of 1868 that the Conservatives were able to secure one of the four seats. The Act of 1867 not only left the livery franchise intact, but extended the residential qualification from 7 to 25 miles. It is all very well for hon. Members to denounce the livery franchise as ridiculous and anomalous now that the political complexion of the City has been changed. There is another point of view from which this question should be looked at. The question of individual suffrage is, and must always be, intimately connected with the distribution of seats. The fact of there being 5,000 more votes in the City than there would be if the liverymen had no votes does not send any more Members to Parliament. It may be said it makes the position of my hon. Friend (Sir R. Fowler) more secure; it does not add to or take from the number of Members of Parliament, but if the question of distribution of seats is not taken in hand when you disfranchise so large a proportion as 5,000 voters out of 32,000 you may unfairly throw a seat from one side to the other. We hear much of the necessity of concessions to Ireland, but the day may not be far distant when England will ask something from Ireland. [*Cries of* "Question!"] It is the question. I recollect that when the right hon. Gentleman the Member for Mid Lothian was speaking of the alleged inequalities between England and Ireland—it was before his conversion or perversion to Home Rule—said-

"I know of no inequalities except two, and those are: first, that Irishmen are free from certain taxes"—

I think he alluded to the House Tax, and the Land Tax—

"which Englishmen and Scotchmen are subject to, and that Irishmen participate in large grants of public money in which Englishmen and Scotchmen do not participate."

Now we are to have a third inequality. While we have 86 Irishmen opposed to us here—a number out of all proportion to the numbers who send them here—we are to have the suffrage in our own constituencies cut down, which may, perhaps, throw additional seats from our side to the side of our opponents. I denounce this Motion as an ambitious attempt to deal with legislation which has always been considered one of the most important branches of our legislation, and I maintain that to attempt to deal with the subject in this offhand and piecemeal way is to reduce a large and important subject to most ridiculous dimensions.

*(6.7.) SIR G. TREVELYAN (Glasgow, Bridgeton): When the noble Lord the Member for South Molton rose, all who had heard previous speeches of his knew that we should hear most that is to be said against this Amendment. The noble Lord's remarks have been supplemented by those of the hon. Member for Wandsworth, yet I must own I do not think any case has been made out against the Amendment. The noble Lord and the hon. Member for Wandsworth resorted to an argument which can be used against any change or reform, namely, that in the case of a previous Bill this change was not introduced by the Party that is now recommending it. If this is to be regarded as a valid argument the Liberal Party may as well shut up their business at once, because the argument applies against every possible reform. The noble Lord put it in the most favourable form when he said the Liberal Party at the zenith of its power brought in a great Reform Bill that was meant to be comprehensive and yet did not welcome this change. It was during the passage of that Bill through Parliament that the Liberal Government was turned out of Office by a hostile vote in the House of Commons. [Mr. MATTHEWS: The noble Lord referred to the Bill of 1884.] That being the case, it can scarcely be said the Liberal Party was in the zenith of its power. And that Bill was, as is well known on both sides of the House, of the nature of a compromise, and it could not have been passed through the House of Commons and the House of Lords at that time unless it had been of such a nature. It was well known that many very important points of which the Liberal Party was then and is now in favour were only kept back because of the nature of the Bill; indeed, the Redistribution Bill was actually turned into an Act by the Conservative Government. The hon. Gentleman (Mr. Kimber) asked us to bring in a comprehensive measure:—"Why," he said, "do you come down on Tuesdays and Fridays and propose abstract Resolutions about the livery vote." No change in the Parliamentary representation of this country has ever been made without having been introduced on a Tuesday or Friday year after year. The use of these Resolutions was that in a cool atmosphere the whole case can be put by its advocates before the House of Commons, and through the House of Commons to the country. The country can then see how much political backing a political question has. Unless Sir E. Baines had year after year introduced his Resolution for the reduction of the borough franchise, and unless other Members had done the same thing in respect of the county franchise, I do not hesitate to say those measures would never have been passed. The noble Lord gave a perfectly fair account of the Report of the Commission, but we are not acting only on the Report of the Commission. We want to go into the merits of the question, and on the merits there can be no doubt whatever. This Resolution refers to one constituency only, but it establishes a great principle. That constituency has only a population of 50,000, and has two Members allotted to it. That made the question very important, because, in the first place, that means an excess of political power in this particular constituency; and, in

the next place, it may be said to be a sort of ideal constituency, with regard to which we ought to establish an ideal representation. What is the real condition of the constituency? There are in the constituency 21,000 occupiers and 7,500 livery voters. I was reading the other day a most interesting book, *The History of the Boroughs*, published in 1794, at the moment when in the old Whig Party the ideas of popular representation were at a higher level than they have reached ever since, and in it I read that—

> "The election ought to lie with the inhabitant occupiers of the City agreeably to our ancient and free Constitution, and there probably would be about 22,000."

It is quite true that those 22,000, as described by the Member for Finsbury, were real, genuine residents living on the spot. But that is all altered now, and of those 22,000 occupiers I suppose that not more than one-third, or some 7,000, are real residents, and these are in a worse position than any other voters in the Kingdom. Elsewhere the resident voters are, so to say, diluted by non-resident voters, but in the City of London they are swamped. The constituency of Central Glasgow most nearly resembles the City of London. Of the 11,000 occupying voters 3,000 live outside the Division. In the case of the City of London, not 3,000 but 10,000 live outside the City. That grievance would be enough, but it is not all. Besides these out-voters, the 7,000 resident voters have to contend likewise with 7,500 livery voters, of whom not more than one quarter have any premises in the City, and probably not more than 1-10th or 1-20th reside in the City. They have bought the franchise with money down, just as they would buy a horse or a piece of furniture. Some of the prices given are very large. In the Clothworkers' Company it cost 100 guineas. In the Fishmongers' and the Goldsmiths' about 30 guineas. In the Fishmongers' there are 432 liverymen, and in the Clothworkers' 150 liverymen. Who are these bodies that they should be so represented even according to the theory that property ought to be represented? The Fishmongers, have, I believe, an income of £55,000, and the Clothworkers' an income of £50,000. Now, supposing a country gentleman, or a man of business, has £50,000 a year, he will probably have three or four votes; if he is a brewer he may perhaps have 11 or 12. But these companies, with the same incomes as rich landed proprietors or men of business, have not 3 or 4, or 11 or 12, but 300 or 400 votes. They are, therefore, even on the theory that property should have a special representation, monstrously over-represented. I would just ask the House to look at the question of privilege as it exists in the City. The resident householders have 7,000 votes out of 29,000; that is to say, that each resident householder in the City has one-fourth of a vote. Now, let us see what the privileged classes have. First of all a member of these classes votes for the villa in which he lives at a distance from the City, or for his house in one of the fashionable parts of London. Secondly, he votes for his freehold property in the City as a county voter for the Hornsey Division. And not only does he vote for the Hornsey Division, where he does not reside and where he has not a shred of property, but he is so tenderly treated that two booths, and in one case three booths, are actually set up in the Guildhall in order that he may give his vote for Hornsey without having to leave his business for more than five minutes. This has been disputed once in the House, but I have documents which prove it beyond all doubt. In the third place he has a vote for the City itself—a vote which can be bought with money—and in the fourth place if he belongs to the class of University men and has taken out his M.A. degree, he can vote for his University. The noble Lord near me was, I believe, somewhat inaccurate in his statement as to the price of these livery votes. I think he was misinformed when he said it cost £25 to procure a vote. There are some Companies which are practically kept up for the purpose of making these votes. [*Cries of* "No!"] Well, it looks very like it. The Playing Card Makers' Company possess no property and charge a fee of 23 guineas for admission. The Loriners have no land; there are 438 liverymen and the fine is £12. The Basket Makers' Company, with 29 liverymen, has an income of £35 from fees, and that is all spent on one entertainment. Now, if there is any sense about this system, if votes should be bought for money, the price should be the same, instead of varying from £120 or so to £12. But who would seriously propose to reform the livery franchise in such a way? There is only one possible reform, and that is to sweep it away altogether. Since the change in the franchise that my hon. Friend referred to, a man can by paying £12 or £20 live anywhere in Middlesex, or in the heart of Kent or Essex, almost any where in Surrey or in parts of Bucks and Herts, and tye assist in voting down the real residents of the City of London. This great injustice is accompanied by smaller injustices. The liveryman may change his residence as often as he likes, but when once he has paid his money he retains his vote for life. The ordinary householder, whenever he changes his residence and goes outside the precincts of the City, loses his one-fourth of a vote, sometimes for 18 months, and sometimes for much longer periods. The liveryman is not subject to the personal payment of rates and to all the chances of losing his vote that such a condition involves, but the ordinary householder has to pay his rates up to the day or he loses his vote. This country is pretty tolerant of anomalies if any public reason can be given for them, but for these anomalies no public reason can be given. There are, it is true, some 20,000 freemen still remaining in our large towns, but they are for the most part freemen of the whole town. They may have some local patriotism, some feeling that they owe something to the community—something of that feeling which in old days the liverymen of London displayed when they insisted that their Member should represent them on the floor of this House, even though he was rejected by the great majority of Members of the House. But in this case the liverymen are not attached to a great city. They are attached to certain isolated bodies, and I ask what reason is there that those bodies should have a special representation? Of all bodies they probably need reform the most. I will read to the House the mere headings of the reforms which the Commission recommended, and which has not been carried out. They recommended that measures should be taken to prevent the alienation of the property of the Companies, and that means should be taken to secure the permanent application of a considerable portion of the corporate income to useful purposes. I am not throwing reflections on the Companies in this respect. They further recommended that a new trust should be declared where a better application of the trust moneys of the Companies had become desirable. Then came the recommendation about the franchise, which the House has already heard, and then there were recommendations that colourable apprenticeships should cease, and that excessive sums should no longer be spent on entertainments and on the maintenance and relief of poor members. Who were they who made these recommendations? Were they violent Radicals? They were Lord Derby, Lord Sherbrooke, the late Duke of Bedford, and Lord Coleridge. I object to these bodies having special representation in order that when these questions come before the House of Commons they should have an undue number of Members in this House to stand in the way of reform. The principle upon which we bring forward this Motion and support it is very simple. It is a principle which, during the last two generations, has constantly inspired all the changes which Parliament has made in reforming our representation, and that principle is, that to secure good Government, the Government should be in the hands of the greatest possible number of intelligent and independent men, and that each of these men who is sufficiently intelligent and independent to be a citizen shall have an exactly equal voice in the Government of the country. That has not been secured yet; but that has been the tendency of our legislation, and we ask that this system shall be abolished, that the residents—the real residents, the householders of the City of London—may have fair play in this question of the franchise, and not be absolutely swamped, as no other constituency in the country is, by people who have votes elsewhere. Those bankers, merchants, and others of high character, of whom the noble Lord spoke as having votes in the City of London, surely they live somewhere—they are not houseless when they leave the City—and they have votes elsewhere? When we bring forward this Motion we want real argument, and until we get that argument we cannot but believe that the only opposition to this change is because the change may be of advantage to one political Party and a disadvantage to the other. That argument has been freely brought forward outside this House, but I am sure it will not be used in the House. In discussing these subjects we discuss them not from the point of view whether these men hold our opinions or the opinions of our political opponents, but apart from such considerations. It is our business to see that every citizen shall have fair play, and neither more nor less than fair play, in getting his share of political power; and in order that this principle may be established in the central constituency of the kingdom, where at the present moment it is extravagantly violated, my hon. Friend has brought forward this Motion, and I trust that every Member who looks at these questions not from the point of view of Party, but of principle, will vote with him.

(6.45.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): In his opening remarks the right hon. Gentleman showed a singular forgetfulness of the achievements of his own Party. He described the reform of 1884—not of 1885—as that of the Conservative Party. That I deny. His Party was in power when the Bill became an Act, and was responsible for its final success, though not for its introduction. In December, 1884, the Act received the Royal Assent, and it is the great Party of which the right hon. Gentleman is so distinguished a Member that has the full credit of that Act. The right hon. Gentleman seems to think that it is the duty of the Liberal Party to be perpetually tinkering with the Constitution, and that if they do not do so they may as well shut up shop. He appears to think that every few years the whole system of the franchise on which representation in this House exists is to be reviewed and repaired, and that there should be no finality—that the tree should be constantly dug up by the roots to see how it is growing. I have listened attentively to the Debate, and the only argument I have heard against this franchise is that it is an anomaly. But though it is in some sense an anomaly, the framers of all previous reform Bills have left it untouched as they have many other anomalies. Why should it be attacked now? Nor is this so-called "fancy" franchise without its parallel in other parts of the country. Similar franchises exist in Leicester, Lincoln, Newcastle-on-Tyne, Newcastle-under-Lyme, Nottingham, and Stafford. All these towns have their "fancy" franchise, and it is difficult to see why London should be picked out for special legislation. The right hon. Gentleman asserts that the only proper electorate for the City of London is its rated residents—a population of some 50,000 persons, consisting mainly of servants and caretakers, with a parson or two, while the wealth and intelligence of the City of London are to be left wholly unrepresented. That appears to me to be a representation of the City of London almost grotesque. The half million people who constitute the life, energy, intelligence, trade of the City of London are not really residents. I agree that as a matter of principle and for rough convenience some limit should be placed on the distance of out-voters. The ordinary limit is seven miles; in the case of these liverymen it is 25 miles. Having regard to the conditions of the suburban life of London, is this such an unreasonable limit? In the Local Government Act passed only two years ago the limit was fixed at 15 miles. Is that to be considered a retrograde step? Are we to be told that what we did two years ago is not to be mentioned as any ground or reason for our action now? I do not stand by this limit of 25 miles, but it is obvious that under the circumstances of the City of London some larger range of out-residents, as we may call them, is required and does not create an anomaly in the sense in which it would be understood as applied to other boroughs. There has been talk about the livery franchise being bought. I am at a loss to see the distinction between the expenditure of money which makes a man a liveryman with a livery vote and the expenditure which makes a man the occupier of a tenement with an occupation vote. What is there so sacred in the expenditure of a little money in order to acquire a tenement, in which one need not reside, that such expenditure should give a vote, while the acquisition of liveryship should not? In other towns expenditure of some sort, sometimes very trifling, accompanies the acquisition of the livery, in the City of London the expenditure is much larger. Such acquisition usually costs some money, and carries with it the approval of a body of men who have the prosperity of the City of London at heart. It is alleged that certain companies offer their liveryship even to reluctant persons; that they go about "touting" for members. I am not aware of such cases. The figures do not appear to bear out that assertion. It appears that there are 7,756 liverymen on the electoral roll. Of these 290 are duplicates, leaving 7,466 liverymen with a vote. But 2,279 of these are householders, so that the number of liverymen voting who are not householders only amounts to 5,187. This the hon. Member who moved the Resolution seems to have entirely overlooked.

MR. J. ROWLANDS: I distinctly read out the figures from what I believe to be a correct analysis of the register made up to the present day.

MR. MATTHEWS: The hon. Member assumed, I think, that householders were members of different Companies.

MR. J. ROWLANDS: Quoting from memory, for I have not the figures in my hand, I first took the gross number of electors on the register as it stands, then I deducted those who are qualified otherwise, and reading to these I arrived at 5,000 odd having no other qualification.

MR. MATTHEWS: We arrive at the same result, but not by the same process.

MR. J. ROWLANDS: I have now the actual figures: 32,728 electors, deduct 629 county electors, leaving 32,099. The livery votes included are 7,756, and, deducting 1,950 who are occupiers, the net result is 5,806 for the livery vote with no other qualification. This is arrived at after very careful analysis.

MR. MATTHEWS: Mine also is a careful analysis, according to which there are 290 duplicates, and 2,279 householders, arriving at the same result. In round numbers, of 7,500 liverymen, 2,279 are householders as well, and therefore the real householders for whom the right hon. Gentleman opposite has so much affection. The hon. Member says that these liveries are over-represented in respect of their income, and he compares them with a large brewer. But does the hon. Member suggest that these companies exercise any direct influence over the votes of the individual Members? Notoriously the companies have no such influence. Another argument of the right hon. Gentleman was that the livery franchise encourages plurality of votes. A liveryman has a vote irrespective of residence; he may also have a University vote. But cannot the real resident get the University vote? Can he not also acquire a vote in a place from which his residence is not distant seven miles? If no better arguments can be cited for the exceptional treatment proposed to be applied to the livery franchise in the City of London, the case seems to me to be a very weak one indeed. I hear no demand for the abolition of the livery vote from the City itself. The City of London, which is the most interested in the matter, does not complain of being misrepresented by its voters; on the contrary, the whole City is unanimous in desiring to retain the livery vote. I hear no protests from those really representative of the City against the livery vote. The only persons against it are persons like the right hon. Gentleman opposite (Sir G. Trevelyan), who, so far as I know, has no connection whatever with the City, or hon. Gentlemen like the Mover and Seconder of the Resolution, whose object is certainly not friendly, but hostile to the City. This, therefore, is an unnecessary, an uncalled for attack upon an anomaly, it is true, but an anomaly which has done no harm, and has worked to the satisfaction of all those who are subject to it.

(6.49.) MR. PICKERSGILL (Bethnal Green, S.W.): The right hon. Gentleman says the livery franchise stands on all fours with certain franchises existing in other ancient boroughs. Now, I distinctly traverse that statement. The anomaly in the representation of the City of London is absolutely unique. It is true that in certain ancient boroughs there are freemen, but the freemen who are entitled to exercise the franchise in these boroughs are only those who have acquired their freedom by servitude, or who take the freedom from some who have so acquired it. In London, on the contrary, freemen who, according to the Report of the Commissioners, consist mainly of artisans, are not entitled to the franchise, but this privilege is reserved for the livery men, who are drawn almost exclusively from the middle classes, and who pay in most cases a very considerable sum for what is called taking out their livery. So we arrive at this result, which I scarcely think will receive the approval of any candid Member in the House. I find that in round numbers the total electorate for the City of London is 32,000, and in round figures the number of liverymen 8,000. It is quite true that a certain number being liverymen have other qualifications, but that is an accident — it is not an essential feature of the case, and for present purposes it is absolutely immaterial. So we arrive at this result: that over a quarter of the voting power of the electorate of the City of London is directly purchasable with money. Now I say that is a scandal, and I think the scandal would have long ceased to exist had it not been for the subtle influence which the Corporation, of which this livery system is an essential part, exercises over this House. I listened with great interest to the speech from the noble Lord (Lord Lymington) on this side, and which received a direct *imprimatur* from the hon. Gentleman opposite (Mr. Kimber). The noble Lord seemed to stand aghast at a proposal which wonld have the effect of depriving members of Joint Stock Companies of votes for the city. Now, for my part, I have not that extreme reverence for Joint Stock Companies which the noble Lord appears to entertain. But it is not part of our proposal to disfranchise members of Joint Stock Companies; all we say is that to maintain the proposition that a man ought to have a vote because he is a member of a Joint Stock Company is simply ludicrous. The argument of the noble Lord would, it is clear, restore the very worst abuses of our old system of representation. Our Resolution has, no doubt, as the noble Lord saw, an intimate relation with a large principle, it has no doubt a bearing upon the principle of what is known popularly as "one man one vote," and I think it is instructive to see the attitude the noble Lord is prepared to take towards that principle; but apart from that larger principle I submit the question is one which may fairly and reasonably be treated by itself, and I shall heartily give my vote with my hon. Friend.

(6.54.) MR. JAMES STUART (Shoreditch, Hoxton): We have no intention of continuing the Debate from this side of the House, because we have heard the arguments adduced against us, and there is nothing in them to answer. The Home Secretary, the noble Lord on this side and his supporters opposite, have used the most old and crusted Tory arguments in connection with this matter. We are told that we ought to wait until we can reform the whole of the City Companies. Is either of the three gentlemen who used this argument, or is the Government prepared to introduce a Bill for reforming these City Companies? If they are not prepared to do that, are they prepared to give me and my friends any facilities for carrying the other recommendations of the Royal Commission which have been so long before the House, to prevent the alienation of the funds under the control of the Companies? They are not prepared to do that, therefore there is nothing in the argument that we ought to wait until we can carry out all the recommendations of the Commission. Then it has been said, "Why have not the Liberals done this before?" It was rightly enough said by the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) that is an argument against anything that could be done. There were reasons which are obvious now as we look back at 1884. The Liberal Metropolitan Members are determined to bring forward in the House whenever they can the disabilities under which London labours, and that is the reason why this subject is raised at the present time. For years we have tried to bring it forward, but the right hon. Gentleman at the head of the Government has stepped in and appropriated private Members' time, and it is only now, when we have returned to a position of things that never ought to have been suspended, and which we are getting back to apparently only on sufferance, that we have found the opportunity of ventilating this question and calling attention to this anomaly. If we do not avail ourselves of these opportunities there is no preparation for the time when legislative proposals can be submitted. I do not argue the question now, it has been very ably argued by my hon. Friend, and nothing has been said on either side to shake his argument. A Liberal Unionist on this side has spoken of Liberal Governments of the past with a bitterness and sarcasm one would not have expected from one who professed himself a Liberal at the time. Almost the whole of the argument of the Home Secretary came to this, that he regarded the possession of the dual vote in this and other instances as an advantage, as part of the Constitution I suppose he would say, and for which he and his party are prepared in future to contend.

Mr. James Stuart

(7.0.) The House divided:—Ayes 148; Noes 120.—(Div. List, No. 36.)

Main Question again proposed.

ROYALTIES, DUES, AND WAYLEAVES ON MINES.

(7.12.) MR. CONYBEARE (Cornwall, Camborne): I rise to call attention to the desirability of restricting the imposition of Royalties, Dues, and Wayleaves on Mines. No doubt the fact that there is a Royal Commission now sitting, inquiring into the question of Mining Royalties, forms a strong argument against me. But there is one very good reason for the course I am taking. The second most important industry in the county I have the honour to represent—Cornwall—is the china clay industry, and that was excluded in the most determined manner from the scope of the Royal Commission by the right hon. Gentleman who has just left the House; and I shall be able to show that some of the worst cases of harassment connected with the mining industry of Cornwall are to be found in the china clay industry. This is a matter of importance to other parts of the United Kingdom besides Cornwall, because the china clay which is raised in our county is employed not in our county itself but in other industries which form the staple occupation of a great number of our fellow citizens in the counties of Stafford, Lancaster, Chester, and other districts. I need hardly say that china clay is taken principally to the potteries in Staffordshire——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Seven o'clock till Monday next.

HOUSE OF LORDS,

Monday, 9th February, 1891.

COLONISATION (HOUSE OF COMMONS).

Message from the Commons for leave for the Viscount Gordon to attend to be examined as a witness before the Select Committee of that House; leave given to his Lordship to attend if he think fit.

PRIVATE BILL FEES (SCOTLAND).

Message from Commons for a statement of the total fees of the House of Lords on each unopposed Scotch Private Bill since the year 1885: Ordered to be communicated accordingly.

PRIVATE BUSINESS.

DOVER HARBOUR BILL.

Order of the Day for the Second Reading, read.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, before this Bill is read a second time I should like to say, on behalf of the Government, that in assenting to the Second Reading the Government does not depart from its objections to the 45th clause of the Bill as it now stands. We had hoped to have received an undertaking from the promoters that this clause would be deleted in Committee. That undertaking has not been received, and we understand it is not possible for it to have been given before to-day, on account of there not having been a meeting of the Dover Harbour Board. If the Bill is not read a second time to-day the ordinary limit of time for proceeding with that stage of the Bill would expire. Under those circumstances, and being unwilling to stop what may be of importance to the locality on insufficient grounds, the Government assent to the Second Reading, on the undertaking of the promoters that no further steps will be taken without notice to the Government.

EARL GRANVILLE: My Lords, I do not sympathise with the objections which the Government have raised to this Bill, and I think I shall be able to show good reasons why they are not valid. At the same time, I have to acknowledge the great courtesy of the noble Lord in allowing the Bill to go for Second Reading under the circumstances.

Bill read 2ª.

FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

QUESTION—OBSERVATIONS.

*LORD SUDELEY: My Lords, I beg to ask Her Majesty's Government when the Return respecting "Admiral Colomb's Flashing Signals," laid on the Table and ordered to be printed on 5th August last, will be delivered? These Papers are of very considerable interest, and have been anxiously looked forward to by the Navy for a long time. It is now six months since they were ordered to be printed, and I hope the noble Lord the Secretary to the Admiralty will be able to say that there is to be no longer delay. I am told that owing to one letter not having been delivered in time delay has been caused; but I understand from Admiral Colomb that the letter was sent in as long ago as the 14th October, and therefore a period of four months has elapsed since. I hope the noble Lord will be able to give a satisfactory answer, as the delay in this matter has caused a great deal of unpleasantness.

LORD ELPHINSTONE: In answer to the question asked by the noble Lord, the Papers which he refers to are now in the hands of the printer, and will, I hope, be laid on the Table within a very few days. The delay to which he refers has been caused, as I understand, by two long letters having been received by the Government from Admiral Colomb. Those letters it has been necessary to print, and accordingly the Papers have been sent back to the printer. However, I hope in a few days they will be in the hands of the noble Lord.

LICHFIELD CATHEDRAL BILL.

[H.L.]—(No. 6.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE BISHOP OF LICHFIELD: I have to ask your Lordships to give a Second Reading to this Bill. It passed through your Lordships' House last year, but failed to obtain a reading in another place. I therefore need not give any detailed explanation of it now. It is a simple matter, and I beg to move the Second Reading.

Bill read 2^a (according to order); and committed to a Committee of the whole House to-morrow.

CUSTODY OF CHILDREN BILL.

[H.L.]—(No. 31.)

REPORT.

Order read, for receiving Report of Amendments.

*LORD NORTON: My Lords, I beg to give notice that on the Third Reading of this Bill I will move the insertion of words in what has been called the "Conscience Clause," that is Clause 4, with regard to religion, which directs that the Court, having rejected the application of a parent as unfit to be entrusted with his child's guardianship, but finding that the child is being brought up in a religion differing from that of its parent may order it to be brought up in his religion. If it is desirable the child should be brought up in that religion which has led to its abandonment and to the unfitness of the parent to take it back again, and available means are to be found for bringing it up in that religion, the Bill should state upon what funds that charge should fall. At present the Bill makes it necessary for the Court to secure that the child shall be brought up in the reprobate parent's religion, and there may be no means for doing that. The Bill should state where the expense, after removing a child from a foster-parents care, should fall, and I beg to give notice that I shall move the insertion of words for that purpose on the Third Reading.

THE LORD CHANCELLOR: Perhaps the noble Lord will kindly reduce his Amendment into writing. I had intended to move the Third Reading to-morrow night, but if it will be convenient to the noble Lord I will say Thursday.

*LORD NORTON: I will read the words I propose to add—

> "Provided means can be found available for the education of the child in such religion, and any costs so incurred shall be a charge on the school rate, if any, in the district."

Amendments reported (according to order); and Bill to be read 3^a on Thursday next.

The Bishop of Lichfield

COUNTY COUNCILLORS (QUALIFICATION OF WOMEN BILL [H.L.]

A Bill to enable women to be elected and to act as County Councillors—Was presented by the Lord Chaworth (E. Meath); read 1^a; and to be printed. (No. 32.)

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL [H.L.]

A Bill to make better provision for the elementary education of blind and deaf children in England and Wales—Was presented by the Lord President (V. Cranbrook); read 1^a; to be printed; and to be read 2^a on Friday next. (No. 33.)

PRESENTATION TO BENEFICES BILL

[H.L.] (No. 5.)

Read 3^a (according to order), and passed, and sent to the Commons.

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 9th February, 1891.

QUESTIONS.

EASTERN SOUDAN FAMINE RELIEF.

MR. SYDNEY GEDGE (Stockport): I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that the operations of the Eastern Soudan Famine Relief Committee, under the superintendence of Dr. Harpur and General F. Haig, R.E., at Suakin, have been seriously interfered with and practically stopped in consequence of certain orders issued by the Cairo Military authorities; that hundreds of starving Soudanese, in receipt of food and hospital relief, were ordered by the authorities to be driven from the gates of Suakin into the famine-stricken country, or were deported in dhows, &c. to other ports along the Red Sea coast; and that hundreds died in consequence of this order, although at the very time thousands of bags of grain, expressly imported for famine relief, were lying in the stores at Suakin, while traders and others were prohibited by the Cairo authorities from sending into the country in the vicinity of Suakin. Whether the Governor of Suakin, Colonel Holled Smith, Her Majesty's Consul, Mr. Barnham, the British merchants and traders, and the Commander of Her Majesty's gunboats at Suakin, made any report to Her Majesty's Government as to these orders prohibiting sale and supply of grain to the starving Soudanese; and whether several successive officers in command of Her Majesty's gunboats in the Red Sea have in despatches to the Admiralty, through the Admirals in command of the Mediterranean Fleet, reported adversely of the policy carried out for the past three or four years in the Eastern Soudan, and whether these Reports will be printed and laid before Parliament.

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): We have no information of the operations of the Famine Fund being interfered with. It is true that it was found necessary, when cholera was prevalent in the country, to remove the Arabs who were encamped within the lines of Suakin from the immediate neighbourhood of the town. Her Majesty's Government deeply regret the necessity which arose for the removal of these poor people, but they believe that all possible care and foresight were exercised by the Military Authorities, with a view to mitigate as far as possible the suffering which was the inevitable consequence of this measure. The cordon has now been removed and the restrictions on trade relaxed. Reports on the subject have been received from Her Majesty's Consul at Suakin, the Local Authorities, and from British naval officers on the station, and the question of their publication will be considered when further Papers relating to Egypt are presented.

THE BERTILLON ANTHROPOMETRIC SYSTEM.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the Secretary of State for the Home Department whether he has had his attention called to the Bertillon Anthropometric System, now in use in France, for registering and identifying prisoners, and thus easily detecting previously arrested persons; and whether he has considered the advisability and practicability of applying such a system to this country? I should like to mention that this question stood on the Paper in the name of Mr. Bradlaugh a day or two before his death.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; the French system has for some time been the subject of discussion between myself and the Prison and Police Authorities. There are various objections to the introduction of that system as a whole, and the French police have powers over prisoners which the police do not possess in this country. I have inserted a clause in a Penal Servitude Bill, of which I have given notice, giving power to take the measurement of prisoners, which is, perhaps, the most important element in the French system. I may add that the Commissioner of Police informs me that under our present system we have a larger percentage of identifications than the French system affords.

THE LEEWARD ISLANDS.

SIR THOMAS ESMONDE (Dublin Co., S.) I beg to ask the Under Secretary of State for the Colonies whether the Medical Officer of the institutions of the Presidency of Dominica Colony of the Leeward Islands, has been removed from his usual professional duties, and constituted Imperial Commissioner, to report on the disease called "yaws" throughout the West Indies; and, if so, out of what fund, Imperial or Colonial, are his expenses to be paid; and if from Colonial funds, has the expense been created in deference to any demand for any such investigation from either the Medical Faculty or people of any West Indian community, and if so, from which; and if he is aware that a Resolution, affirming the necessity of such a Commission, and charging the expense connected with it upon the local revenue, was rejected by the practically unanimous vote of the Federal Council of the Leeward Islands in February, 1890?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Medical Officer of the Public Institutions in Dominica has been instructed to inquire into and report on the progress and treatment of the disease of yaws in the Leeward and Windward Islands. During his mission he will be relieved of the duties of his office. The expenses of the inquiry will be paid out of the funds of the several Islands in which it will be held. The inquiry has not been instituted in deference to any demand of the Medical Faculty or people of any of the West Indian Colonies. Notice was given in February, 1890, in the Federal Council of the Leeward Islands of a Resolution in favour of providing for a portion of the cost of such an inquiry, but the Resolution was withdrawn.

THE SHIP *RAVENSHALL.*

Mr. MARK STEWART (Kirkcudbrightshire): I beg to ask the First Lord of the Admiralty whether any intelligence has reached this country about the ship *Ravenshall*, Captain Telfer, which sailed from New York on the 11th June, 1890; whether he has any reason to suppose that the crew have been cast away on the Crozet Islands; and whether he will consider the possibility of sending one of Her Majesty's cruisers to examine the Islands, or, if that is not possible, whether it would be possible to subsidise a merchantman or passenger steamer to go out of their course for that purpose?

*The FIRST LORD of the ADMIRALTY (Lord G. Hamilton, Middlesex, Ealing): The only information in the possession of the Admiralty is that the *Ravenshall* was last spoken in latitude 30 S. and longitude 34 W., or about 4,500 miles from the Crozet Islands. It is, therefore, only a very far-fetched conjecture that she was lost in the neighbourhood of these Islands, and on such very improbable contingencies the Admiralty would not be justified in sending one of Her Majesty's ships several thousand miles to make a search.

ENCOURAGEMENT OF INVENTORS.

Mr. LENG (Dundee): I beg to ask the Chancellor of the Exchequer whether in view of the high tariffs of Foreign countries, and the importance of encouraging inventors so that British manufacturers may maintain their pre-eminence in the markets of the world, he will consider the propriety of applying the surplus of £93,534, received by the Patent Office in excess of its expenditure, to a large reduction of the present heavy renewal fees?

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): I am not sure that British manufacturers generally would admit that the application of the surplus from fees on patents which the hon. Member suggests would largely benefit them. There is much to be said in favour of the present scale if it operates in the later years to cause useless and unsuccessful patents to fall out, and some people believe that this is an advantage and not a disadvantage to British trade. The hon. Member is perhaps not aware that recently sanction has been given to a large expenditure for building a new Patent Office, and providing additional facilities to the public who have business there, an object with which I am sure he will sympathise and which the public will appreciate.

RATING OF MACHINERY.

Mr. DUNCAN (Barrow): I beg to ask the President of the Local Government Board, whether at any time since 1871, the Local Government Board has for the purpose of securing uniformity throughout England and Wales in the assessment of rateable value, issued instructions to Boards of Guardians, Union Assessment Committees, Overseers or other persons charged with the duty of assessment, giving explanations and directions as to the method in which the rateable value of buildings containing machinery should be ascertained: and if any such instructions have been issued, whether he will lay copies of them upon the Table of the House?

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): The Local Government Board have not issued instructions to Boards of Guardians, Assessment Committees or Overseers, giving directions as to the method in which the rateable value of buildings containing machinery should be ascertained. The principles on which such property should be assessed depend upon the Statute and the decisions of the Courts, and the Board are not empowered to give any such directions as are suggested.

THE HERRING FISHERY (SCOTLAND) ACT.

Mr. ANGUS SUTHERLAND (Sutherlandshire): I beg to ask the Lord Advocate whether the attention of the Secretary for Scotland has been called to the contravention by trawl fishingboats of the provisions of Section 6 of "The Herring Fishery (Scotland) Act, 1889," in trawling within the three mile limit on the northern coast of Sutherland; and particularly a fortnight ago when the line fishermen of Portskerra had lines to the value of £40 destroyed by such trawlers; whether his attention has been called to the fact that such trawling is carried on during the night, and without lights being exhibited, in order to avoid detection; and what steps he intends to take to enforce the law and protect the property of these fishermen?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): Yes, Sir. The Secretary for Scotland has heard with regret that certain contraventions of the Act referred to have taken place, and that damage has been done by trawlers to the lines of the fishermen. He is also informed that the trawling is carried on as stated in the second part of the question. As regards the last paragraph, I can only repeat the answer I gave to the hon. Member for Banffshire some days ago, namely, that the Secretary for Scotland is in communication with the Treasury and the Admiralty with a view of securing more efficient protection in these prescribed waters.

SOUTH AFRICA COMPANY AND MANICALAND.

Mr. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that the South Africa Chartered Company have put forward a number of regulations in regard to the action of Europeans now in Manica; whether, in view of the fact that the so-called concession from Mutassa has not been confirmed by Her Majesty's Government, and that the Charter of the Company expressly forbids the Company to exercise power under any concession that has not received this confirmation, he will take steps to make it known that these regulations are not binding on anyone; whether the House may count upon being placed in possession of all correspondence between Her Majesty's Government and the Portuguese Government in regard to Manica before anything is done by Her Majesty's Government by which the territorial question will be prejudiced; and whether, on any interviews taking place between the Secretary of State for Foreign Affairs and Mr. Rhodes, or between the Colonial Secretary and Mr. Rhodes, Mr. Rhodes is acting as Prime Minister of the Cape Colony, or as a gentleman financially concerned in the success of the South Africa Chartered Company?

Sir J. FERGUSSON: 1. We have no information as to any regulations issued by the South Africa Company. 2. Her Majesty's Government are not yet in a position to deal with the question of the concession said to have been granted by Mutassa. 3. The correspondence between Her Majesty's Government and the Portuguese Government will be published in due course. 4. Mr. Rhodes is Prime Minister of the Cape Colony, as well as a Director of the South Africa Company. He acts in both capacities.

Sir HORACE DAVEY (Stockton): I beg to ask the Under Secretary of State for Foreign Affairs whether, in the event of the British South Africa Chartered Company obtaining Manicaland, care will be taken in the arrangements now being negotiated between Her Majesty's Government and Portugal, that British companies which have paid for and hold concessions from the Mozambique Company, whether before or after the date of the British South Africa Company's Charter, will be recognised, preserved, and respected?

Sir J. FERGUSSON: Her Majesty's Government cannot be responsible for financial arrangements made between different Companies, but acquired British interests will receive every consideration in the negotiations with Portugal.

THE CHAPEL ROYAL, WHITEHALL.

Mr. JAMES (Gateshead): I beg to ask the First Commissioner of Works whether it is the fact that a large number of the pews of the late Chapel Royal, Whitehall, were allotted and held by Members of both Houses, certain public officials, and the owners of residences in the vicinity; that, in some cases, these pews were awarded to the occupiers of certain houses at the time they were brought within the area of Metropolitan rating, and in consideration of the loss thereby sustained in a matter of taxation, from which, as built upon the property of the Crown, and within the precincts of the royal palace, such dwellings were originally exempt; whether any steps were taken to ascertain the views of those thus interested as to the course contemplated and subsequently adopted; and why, inasmuch as seats were always reserved for Members of the Legislature, the opinion of the House of Commons was not invited both as to closing the Chapel and the expediency of its subsequent destination?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The Office of Works had no authority in the allotment of seats in the Chapel Royal, Whitehall; but, for the information of the hon. Member, I have inquired in the Department of the Lord Chamberlain, and Sir Spencer Ponsonby Fane has stated to me that he has, as far as his experience goes, no reason to believe that the pews were granted on the conditions or for the considerations suggested in the question. They were granted to the residents in the precincts of the old Palace, and to the dwellers in the neighbourhood, holders of Crown leases being given a preference. Pews were not assigned to Peers or Members of this House until the year 1867. There was no regular count kept of the attendances, but the Sub-Dean stated that they were reduced to a minimum except when the Bishop of Peterborough was to preach, or some other popular preacher. This House was not consulted with regard to the discontinuance of the services because the expenses of those services, amounting to about £800 a year, was defrayed out of Her Majesty's Civil List.

THE SCOTCH-AMERICAN MAILS.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I beg to ask the Postmaster General whether it is the case that mails for America from Glasgow missed the steamer by which they were advertised to sail no fewer that five times in the course of January, 1890; and whether any steps are being taken to prevent a recurrence of that contingency?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The right hon. Gentleman's statement is quite correct, and I regret the inconvenience which must have resulted from the delays complained of. As I explained recently in the House, these delays have been mainly attributable to the difficulties attending the conduct of the Railway Service in the North, and I trust that regularity will now be restored.

THE MAGAZINE RIFLE.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether he will lay upon the Table any correspondence that has taken place between the Indian and Victorian Governments and the authorities at home on the subject of the magazine rifle; if he can state what royalty, if any, is claimed or paid in connection with the charges that may arise out of its magazine rifles manufactured by private firms; and whether such royalty is included in, or is additional to, the stated contract price?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The correspondence with the Victorian Government consists solely of a demand, and its postponement. That with India, as regards pattern and other questions, extends over a number of years, and is very bulky; but that which relates solely to the supply of magazine rifles shall be placed in the Library, and printed if any one moves for it. Nothing has been paid to any one in respect of rifles manufactured for the Government by private firms. The remuneration, if any, to patentees will be settled in accordance with the regulations which I explained last week. In respect of rifles manufactured for the public, the Royalty claimed by the Lee Syndicate is 8s. 9d. The rifles marked "Lee-Speed" are not Government rifles, and we accept no responsibility for them.

MR. HANBURY: Will the 8s. 9d. mentioned by the right hon. Gentleman last week be added to the price of each rifle?

MR. E. STANHOPE: No, Sir; that is the price charged to the public.

FULWOOD BARRACKS.

MR. HANBURY: I beg to ask the Secretary of State for War whether any decision has yet been arrived at with reference to the use to be made of the Fulwood Barracks at Preston, on which a considerable sum has recently been spent?

MR. E. STANHOPE: The Fulwood Barracks at Preston will continue to be occupied by troops. The removal of the field battery depôt leaves them large enough to accommodate a whole battalion, which was not previously the case.

In answer to Mr. TOMLINSON (Preston),

MR. E. STANHOPE said: Upon the whole, in the distribution of troops, it is thought best to have infantry at Preston.

ARMENIA.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for Foreign Affairs why it is that no despatches from the Foreign Office to Sir William White, on the subject of the condition of affairs in Armenia, were included in the recently published Papers relating to Asiatic Turkey; and whether it is the intention of the Government to make those despatches public?

SIR J. FERGUSSON: There are no despatches from the Foreign Office to Sir W. White during the period over which the Blue Book extends (January-November, 1890), other than despatches calling for Reports or approving his proceedings, which will be found on pages 12, 19, 20, 41, 45, 57, 59, 65 (Nos. 8, 14, 15, 46, 52, 69, 74 and 83). On reference to Turkey No. 1, 1890, page 130, it will be seen that under date of January 24th, 1890, Her Majesty'Asmbassador had instructions to take every fitting opportunity to impress upon the Government of the Sultan the danger of allowing the continuance of the state of things in Asiatic Turkey, which had been reported to Her Majesty's Government.

MR. F. S. STEVENSON: Are we to understand from that answer that since the 24th of January, 1890, no despatches from the Foreign Office to that effect have been sent to Sir William White?

SIR J. FERGUSSON: The instructions then given continue in force, and continue to be acted upon.

REVOLUTION IN CHILI.

MR. DUNCAN: I beg to ask the Under Secretary of State for Foreign Affairs whether he will state what further information Her Majesty's Government have received, since the 30th January, with regard to the revolution in Chili, and to the position of British subjects in that country?

SIR J. FERGUSSON: We have used our best endeavours to communicate, but have not been able to ascertain whether our telegrams have been received.

RELIGIOUS DISABILITIES.

MR. CAUSTON (Southwark, W.): I beg to ask the Attorney General whether persons professing the Roman Catholic religion are eligible for the offices of Lord High Chancellor of England and Lord Lieutenant of Ireland?

MR. SUMMERS (Huddersfield): I wish also to ask the Attorney General if, according to the existing law, any religious qualification is necessary for the office of Lord Chancellor of England or Lord Lieutenant of Ireland; and especially whether a Roman Catholic or a Jew is eligible to hold either or both of said offices?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In reply to the questions of the hon. Members opposite I must respectfully decline to answer these questions. They involve points of law of great difficulty, which cannot be properly dealt with within the limits of an answer in this House. I know that very different opinions are entertained by lawyers of great eminence both in and out of the House, and therefore upon such a point my own personal opinion would be of no guidance to the hon. Members.

*MR. CAUSTON: If I put the question on the Paper on a future day, will the Attorney General answer it, after he has had time for consideration? As this is a question of Imperial importance, I would also ask whether it is not the duty of the Attorney General, as paid Law Adviser of the Crown, to answer questions of this character put by hon. Members, or whether he simply gives his opinion upon questions on electoral law only?

SIR R. WEBSTER: As far as I am aware, most of the questions I have answered came from hon. Members below the Gangway opposite. I have no objection to answer proper questions. Whatever the day on which the hon. Gentleman puts this question down my answer will be the same.

MR. DE LISLE (Leicester, Mid): May I ask whether there are any constitutional means of ascertaining what the state of the law is on the subject, for this is a matter of great interest to a great many of Her Majesty's subjects?

SIR R. WEBSTER: I am not aware of any means. Should any Government make any appointment which raises the question, it will then have to be decided.

THE UNITED STATES AND BRAZIL.

MR. O. V. MORGAN (Battersea): I beg to ask the Under Secretary of State for Foreign Affairs whether attention has been directed to a cablegram in the *Times* of Saturday, headed "The United States and Brazil," and whether the United Kingdom of Great Britain and Ireland and the rest of the British Empire will, under our present Treaty arrangements with the Republic of Brazil, be entitled to the same advantageous terms as are proposed to be granted by Brazil to the United States of North America?

SIR J. FERGUSSON: We have no Commercial Treaty in existence with Brazil, and we should not be justified, therefore, in demanding that the same advantages which have been granted by Brazil to the United States should be extended by Brazil to this country.

DISTRESS IN IRELAND.

MR. KNOX (Cavan, W.): I beg to ask the Attorney General for Ireland what steps have been taken for the relief of distress in County Cavan; whether he is aware that at a largely attended meeting of the Guardians of the Cavan Union, the Guardians present, elected and *ex officio* alike, complained that they had not been communicated with by the Inspector sent to report as to the existence of distress in the Union; and whether that Inspector did communicate with any Guardians; and, if so, with what Guardian or Guardians?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The condition of the County Cavan is very carefully watched, but so far no relief works have been deemed necessary. As regards the concluding portion of the question, I beg to refer the hon. Member to my reply on this subject to his question on the 27th January.

MR. MAC NEILL (Donegal, S.): I beg to ask the Attorney General for Ireland whether his attention has been directed to the serious distress existing among a large number of the small householders and poor of the town of Ballyshannon, in the County of Donegal; whether he is aware that potatoes, of the quality which this time last year fetched 4d. per stone, are now sold at 7d. and 8d. per stone, and that the destitution is so great that in some cases the straw of beds has been burned for fuel; whether he is also aware that in previous failures of the potato crop families have been mainly supported by the work of the women at sewed muslin, but that at present the McKinley tariff had almost destroyed the sewing trade; and whether, having regard to their great distress, there is any immediate prospect of employment being afforded to the people of Ballyshannon in order to avert the necessity of giving gratuitous relief?

MR. MADDEN: Resolutions containing representations to the effect indicated in the first paragraph have been received. I have no official information as to the second paragraph, but I am aware that potatoes are now, I regret to say, being sold in parts of Ireland at the prices mentioned. There is reason to believe that the McKinley Act has injured some of the Donegal home industries. Employment appears to be scarce in the town of Ballyshannon, but such scarcity of employment at this season of the year often exists to a greater or less extent among labourers in towns. This is much to be regretted, but it is not to meet cases of this kind that so exceptional a course should be taken as starting relief works out of Imperial funds. As regards the rural portions of the Ballyshannon Union, the Local Government Inspector, reporting a few days ago, was of opinion that there was no serious destitution therein existing. He hopes very soon to make a further inspection and report.

MR. MAC NEILL: I beg to ask the Attorney General for Ireland if it has come under his notice that a Memorial from Bundoran, County Donegal, was forwarded to the Government in November last praying for the construction of a light railway from Sligo to Bundoran and other works of public utility with a view to relieve impending distress; if he is aware that two very influential meetings were held on 1st January at the villages of Tullaghan and Cliffony, calling on the Government for employment by the construction of said railway, and asking for a proper official to examine the distressed state of the district; if he is aware that the Sligo Corporation Harbour Board and Sligo Board of Guardians have forwarded Memorials with the same object; and what steps, if any, have been taken to inquire into the matter?

MR. MADDEN: Numerous representations have been made in regard to this and other places, but the Government have no funds which would enable them to take any steps to provide the relief asked for.

MR. MORROGH (Cork, S.E.): I beg to ask the Attorney General for Ireland whether he has received copies of resolutions passed at a public meeting of the National League, Nohoval, County Cork, on Sunday, 1st instant, conveying the information that fever was prevalent in the district owing to the use as food by the destitute people of "blighted and unripe potatoes;" has any Report been received from the Local Medical Authority on the subject; and what steps do the Government propose to take to cope with the distress and outbreak of epidemic?

MR. MADDEN: Careful consideration is being given to the Resolutions in question.

MR. MORROGH: I beg to ask the Attorney General for Ireland whether he has received copies of Resolutions adopted at a public meeting held at Tracton (County Cork) Petty Sessions Court on 30th ult., drawing attention to the distress in the district, and urging upon the Government the necessity of starting some public works (which were named in the Resolutions), so as to afford employment to the destitute people, and what action do the Government intend to take in the matter?

MR. MADDEN: A copy of the Resolutions referred to has been received and will be carefully considered.

MR. FLYNN: Does the right hon. Gentleman mean to state that the Government are not in possession of any information as to this district?

MR. MADDEN: The Government are making the fullest inquiries possible.

IRISH TITHES.

MR. PENROSE FITZGERALD (Cambridge): I beg to ask the Chancellor of the Exchequer if he would state what portion of the annuity of £4 9s. per cent. which is charged to Irish tithe-payers for a term of 52 years for loans for the redemption of tithe rent-charge under "The Irish Church Act Amendment Act, 1872," represents or is required for the purpose of a Sinking Fund, and what is (accordingly) the rate of interest reserved or charged by the Treasury on such loans, and in cases where a tithe payer desires during the currency of the 52 years' term to redeem the outstanding instalments of his annuity, or where he is compelled to redeem them under the Irish Land Purchase Acts, what is the rate of interest allowed to him in the table for the Redemption of Outstanding Instalments adopted by the Irish Land Commission?

MR. GOSCHEN: The Irish Church Acts sell the tithe rent-charge to tithe-payers for 22½ years' purchase, and permit the debt to be paid off by an annuity of £4 9s. per cent. for 52 years. No rate of interest is mentioned in the Acts; but an actuarial calculation shows that the rate involved in that annuity is about £3 16s. per cent. The table under which the outstanding instalments of such an annuity are redeemed was framed, not by the Treasury, but by the Land Commissioners. Under it the instalments are discounted at slightly more than the rate of interest involved in the annuity.

THE IRISH CONSTABULARY.

MR. MAC NEILL: I beg to ask the Attorney General for Ireland whether, having regard to the fact that the Irish Constabulary, when serving in the cities of Ireland, have numbers on the uniforms like the Metropolitan Police, for the purposes of identification, and to the admission made by him that when members of the Irish Constabulary are removed from cities to country places, the numbers are taken from their uniforms; and, having also regard to the fact that constables of the Irish Constabulary have on several occasions declined to give their names when requested so to do, by persons who wished to report their conduct to the authorities, he will take steps to have the practice of putting numbers on the uniforms of the Constabulary identical both in cities and country districts of Ireland?

*Mr. MADDEN: In reply to this question, I must refer the hon. Member to previous answers to the subject in November and December, 1889, and May, 1890. I may add that it is the custom of the police to give their names upon a reasonable request being made.

Mr. MAC NEILL: Is it not the fact that members of the Constabulary have committed assaults and then refused to give their names? As a matter of fact, a constable at the Falcarragh evictions assaulted me and declined to give his name.

*Mr. MADDEN: If the hon. and learned Member suggests that there have been any particular variations from the custom which I have mentioned, and will give a definite notice, I will make inquiry.

Mr. SEXTON (Belfast, W.): Does the custom of refusing to give a name rest upon an instruction from head quarters?

*Mr. MADDEN: I am not aware that there have been any instructions.

Mr. MAC NEILL: Do the Government distinctly refuse to have the members of the Royal Irish Constabulary numbered? In May last, constables were taken to Waterford and numbered, but the numbers were deliberately taken off subsequently, and the men engaged in a baton charge.

*Mr. MADDEN: I must refer to the previous answers which I have mentioned in regard to that question.

LAND PURCHASE.

Mr. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer whether he has now ascertained if there are any precedents for providing by Act of Parliament, as proposed in the Land Purchase Bill, for the issue of Stock to an amount unnamed.

Mr. GOSCHEN: There are several Acts under which authority is given to the State to make loans without any limit being assigned as to the liability incurred. Loans for School buildings under the Education Acts may be instanced. How far these precedents are or are not applicable to the Land Purchase Bill I shall be prepared to argue in Committee.

Mr. J. ELLIS (Nottingham, Rushcliffe): I beg to ask the Attorney General for Ireland what were the sums respectively realised by the five holdings put up for sale in 1888 in consequence of failure in payment of instalments of purchase money, by the 10 so put up in 1889, and by the 17 in 1890; and whether any, and, if so, what number of holdings were put up for sale by the Land Commission for the same reason between 25th November, 1890, and 7th February, 1891?

Mr. MADDEN: The Land Commissioners report that all the holdings referred to were put up for sale subject to the Statutory Annuities. The sums realised by the five holdings put up for sale in 1888 were as follows:—1, Eliza Coffey, *nil;* 2, Laurence O'Neill, £120; 3, Laurence O'Neill, £170; 4, Laurence O'Neill, £155; 5, Laurence O'Neill, £110. The sums realised by the 10 so put up in 1889 were as follows:—6, Henry Burgess, £110; 7, Thomas Hahessy, £71; 8, Johanna Navin, *nil;* 9, Catherine Brien, £105; 10, John Neill, £45; 11, Edmund Delahunty, £100; 12, Andrew E. Johnstone, £100; 13, Johanna M'Mahon, £45; 14, Mary Keenan, £5; 15, Eliza Butler, £6. The sums realised by the 17 holdings so put up in 1890 were as follows:—16, Bridget Dermody, £25; 17, Denis Keefe, £65; 18, Thomas White, £40; 19, James Fitzgerald, *nil;* 20, Daniel Ahern, *nil;* 21, James Ahern, *nil;* 22, Bartholomew Foley, £55; 23, Catherine Cummins, £190; 24, Susan E. Keily, £28; 25, William Walsh, £65; 26, John Kerny, £16; 27, Patrick Dennehy, £24; 28, Bartholomew Dooling, £51; 29, Patrick Brennan, £55; 30, James Lenihan, £72; 31, William Shirley, *nil;* 32, Richard Taylor, *nil.* Two holdings were similarly put up for sale between November 25th, 1890, and

February 7th, 1891, with the following results:—33, John Brosnan, £56; 34, John Harrington, no bidders at auction, but since offered £150. In the cases numbered 1 and 8 the guarantee deposits were applied in discharge of the arrears of annuity due and by consent of the owners in reduction of the original advances, and the holdings were assigned to the new purchasers subject to annuities on the advances so reduced. In cases numbered 19, 20, 21, 31, and 32, in which there were no biddings, the arrears of annuity were discharged out of the guarantee deposits, and the holdings (as stated in respect of three of them in the annual Report) are in the hands of the Commission pending resale.

PRISONERS IN CUSTODY BEFORE TRIAL.

Colonel NOLAN (Galway, N.): I beg to ask the Secretary of State for the Home Department if he could state (approximately) in how many instances during the past ten years have the periods spent in prison before trial been allowed to reckon in commutation of sentences, either by the Judge taking into account the time which the prisoner had remained in custody before trial or by the Home Secretary permitting the period of detention previous to trial to reckon as a portion of the sentence?

Mr. MATTHEWS: There is no information in the possession of the Home Office which would enable me to give a statistical answer to this question. The calendars which are supplied in every case to Judges of Assize, Chairmen of Quarter Sessions, and Recorders of Boroughs, give the date when each prisoner is committed for trial, and the Secretary of State assumes that the Judge, in passing sentence, takes this previous imprisonment into account, and does not therefore regard it as affording grounds for alleviation of sentence when the case comes under review at the Home Office.

Colonel NOLAN: Has the right hon. Gentleman, within the last ten years, ever remitted a portion of a sentence on this account?

Mr. MATTHEWS: Previous imprisonment is always taken into consideration.

Colonel NOLAN: I am asking about a fact, and the right hon. Gentleman is answering about the state of the mind of the Home Secretary, of which I wish to know nothing. Has the right hon. Gentleman himself ever done it?

Mr. MATTHEWS: Personally it has not fallen within my province.

HAULBOWLINE DOCKS.

Mr. MORROGH: I beg to ask the First Lord of the Admiralty whether he has received a Memorial, largely and influentially signed by the inhabitants of Queenstown and other places in Cork Harbour, and which was forwarded by the Rear Admiral Commanding, urging the desirability of completing the Royal Docks at Haulbowline with workshops and plant to make it efficient; and what consideration are the Lords of the Admiralty prepared to give to the Memorial?

*Lord G. HAMILTON: No such Memorial has reached the Admiralty. The dock and basin at Haulbowline are complete. Existing buildings and machinery are being adapted or provided for fitters' workshops.

Mr. MORROGH: How long will it be before the works are completed? Although £50,000 of the public money has been expended, nothing has yet been done in the way of utilising the docks.

*Lord G. HAMILTON: The hon. Gentleman must be aware that this is a dry dock, and that no work can be done in it unless ships put in for repair.

IRELAND—UNTRIED PRISONERS.

Mr. O'KEEFFE (Limerick): I beg to ask the Attorney General for Ireland if his attention has been directed to complaints raised by the Magistrates and Corporation of the City of Limerick to the practice of marching, handcuffed, untried prisoners, principally charged with trivial offences, through the public streets of Limerick from the County Gaol to the Court Houses, a distance of nearly two miles; and if, in view of such complaints, he will direct that a covered vehicle be in future employed for such purpose, as in other cities?

*Mr. MADDEN: I have asked for a Report to enable me to answer the question.

THE DRAINAGE OF THE RIVER BARROW.

MR. W. A. MACDONALD (Queen's County, Ossory): I beg to ask the Attorney General for Ireland whether he has received the copy of a resolution passed by the Mountmellick Board of Guardians, praying the Government to undertake the drainage of the River Barrow, and basing their request on the unhealthy condition of the towns through which the river flows, and the general want of employment among the people; whether he is aware that great poverty exists in Mountmellick and the neighbouring district among persons who are in want of work and cannot obtain it; and whether, in view of the forward state of Government business, he will re-introduce his Bill for the drainage of the Barrow?

*MR. MADDEN: In answer to the first part of the hon. Gentleman's question, I have to say that the resolution to which he alludes has been received. As regards that part of his question which refers to the Drainage Bills, I must remind him that these Bills cannot be introduced unless preliminary notices are served upon the owners and occupiers concerned. In two or three successive years the Government undertook the cost and trouble of serving these notices, in addition to the expense of paying a staff of engineers for the purpose of framing the plans and advising the Government upon them. Each year these attempts to improve the condition of the flooded river beds of Ireland were rendered nugatory by the action of certain Members of this House. As there was no sign of any diminution in this opposition, the notices were, I believe, not given this year, and the Bills, therefore, cannot be introduced; but the Chief Secretary requests me to say that if he receives indications that the Bills are really desired, he will favourably consider the policy of taking steps to re-introduce them next Session. The Government have not altered their views as to the expediency of passing these measures.

MR. W. A. MACDONALD: Will the right hon. Gentleman take into consideration that a great deal of money has been expended in preliminary inquiry, and that there is a danger of its being entirely wasted.

*MR. MADDEN: It is not the fault of the Government if this money is ultimately wasted.

COLONEL WARING (Down, N.): Do the remarks of the right hon. Gentleman apply to the Bann also?

*MR. MADDEN: I believe so.

MR. A. O'CONNOR (Donegal, E.): Will not the Government consider the desirability of treating the Barrow scheme separately?

*MR. MADDEN: I am not in a position to say that one scheme will be dealt with differently from the others.

MR. WALSH OF THE *CASHEL SENTINEL*.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland what was the date of the confirmation of the first sentence on Mr. Walsh of the *Cashel Sentinel*, the date of his second sentence, the date of the issue of the warrant in the first sentence, was it signed by the Resident Magistrates or County Court Judge, and the cause of the delay in issuing it?

*MR. MADDEN: The first sentence referred to in the question—that for inciting to assault and resist the police—was confirmed by the County Court Judge on the 10th of November, 1890. The date of his second sentence—that for conspiracy—was the 19th of November, 1890. The warrant in the case of the first sentence was signed by the Resident Magistrates who had originally convicted, not by the County Court Judge, on the 2nd of December. I have already stated, in reply to former questions, that it was impossible for the Resident Magistrates to issue the warrant in the appeal case before the commencement of imprisonment under the warrant in the conspiracy case, inasmuch as they had not then received the necessary certificate of the confirmation of the sentence by the County Court Judge, and I have also added that the delay in issuing this certificate took place in the office of the County Court Judge, and that the Executive are in no way responsible.

PUBLIC BUSINESS.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Referring to a conversation which passed on the subject of Public Business on Friday night between the right hon. Gentleman the Member for Mid Lothian and myself, when I intimated that it might be necessary for me to ask for special facilities for the Tithes Bill, I hope that it may be possible that that step may not be necessary; but if we are not able to pass this Bill through its present stage this evening, I shall be under the necessity of asking for further facilities for it.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

Return ordered—

"Showing—

(1.) Total number of Persons proceeded against in each county, or county of a city or town, specifying the Offence, during the year 1890, and the month of January, 1891;

(2.) Return of total of Persons who were proceeded against for each class of Offences during the year 1890, and the month of January, 1891, and the result of proceedings;

(3.) Result of the Proceedings in each Police District during the year 1890, and the month of January, 1891."—(*Mr. T. W. Russell.*)

FRIENDLY SOCIETIES.

Return ordered—

"Showing—

(1.) "The total number of ordinary Friendly Societies on the Register at the 31st day of December, 1889, distinguishing between independent Societies and Societies with branches, and giving for each class the total number of Members and total amount of Funds as deduced from the latest available annual Returns throughout;

(2.) The total number of Societies and Societies with branches to which application was made for the annual Returns for the year ending the 31st day of December, 1889, and the number of such annual Returns received;

(3.) The total number of Societies and Societies with branches that sent quinquennial valuations, giving for each class the number of valuations showing a surplus and showing a deficiency respectively, together with the total amount of such surplus and such deficiency as deduced from the latest available valuations throughout;

(4.) The total number of Societies and Societies with branches which were on the Register at the 31st day of December, 1889, and have failed to make annual Returns for the year ending the 31st day of December, 1889;

(5.) The total number of Societies and Societies with branches which have failed to make quinquennial valuations due at the 31st day of December, 1889, or earlier;

throughout the information as to Societies and Societies with their branches to be separately stated."—(*Mr. Chamberlain.*)

PRIVATE BILLS (SCOTLAND) (FEES).

Return ordered—

"Showing total House of Commons Fees for each unopposed Scotch Private Bill since the year 1885."—(*Mr. Duff.*)

MESSAGE TO THE LORDS—PRIVATE BILLS (SCOTLAND) (FEES).

Ordered, That a Message be sent to the Lords, requesting their Lordships to communicate to this House a Statement of the total House of Lords Fees for each unopposed Scotch Private Bill since the year 1885.—(*Mr. Duff.*)

LOSS OF LIFE AT SEA.

Return ordered—

"Of the Loss of Life at Sea (in continuation of Parliamentary Paper, C. 3875, to the latest date for which complete Returns are made)."—(*Mr. Chamberlain.*)

PENAL SERVITUDE BILL.

On Motion of Mr. Secretary Matthews, Bill to amend the Law relating to Penal Servitude and the Prevention of Crime, ordered to be brought in by Mr. Secretary Matthews and Mr. Stuart Wortley.

Bill presented, and read first time. [Bill 192.]

INFLAMMABLE LIQUIDS BILL.

On Motion of Mr. Secretary Matthews, Bill to amend and consolidate the Law relating to the keeping, selling, and conveyance of Inflammable Liquids, ordered to be brought in by Mr. Secretary Matthews and Mr. Stuart Wortley.

Bill presented, and read first time. [Bill 193.]

SUMMARY JURISDICTION (YOUTHFUL OFFENDERS) BILL.

On Motion of Mr. Secretary Matthews, Bill to amend the Summary Jurisdiction Acts with respect to the punishment of Youthful Offenders, ordered to be brought in by Mr. Secretary Matthews, Mr. Attorney General, and Mr. Stuart Wortley.

Bill presented, and read first time. [Bill 194.]

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 184).

CONSIDERATION. ADJOURNED DEBATE.

As amended, further considered.

Order read, for resuming Adjourned Debate on Question [5th February], "That the Clause (Limitation of penalties,)– (*Mr. S. T. Evans,*)—be read a second time."

Question again proposed.

Debate resumed.

(4.25.) MR. ARTHUR WILLIAMS (Glamorgan, S.): The Welsh people have great respect for the administrators of the law, but this large and unrestricted power of committing for contempt of Court ought not to be left to be exercised in these tithe cases by a possibly irritable and capricious Judge. We say that the County Courts ought not to have the power of imposing any disability, such as fine or imprisonment, for non-compliance with an order of the Court, except such non-compliance as is already specified in the County Courts Act. The power of commitment is one which ought not to exist, being one of an arbitrary nature and capable of being unfairly enforced. The proposal of the Bill is to incorporate the 162nd section of the County Courts Act, which gives the power of commitment if any person shall wilfully insult the Judge or any witness, registrar, plaintiff, or officer of the Court during the sitting of the Court. That is a provision we do not object to under proper regulations, as it is only proper that the administration of justice should be conducted with decency and respect towards those who administer it. But the section does not stop there. It goes on to declare that if any person shall insult the Judge during his sitting or attendance at the Court, or in going to or returning from the Court, or shall wilfully interrupt the proceedings of the Court, or otherwise misbehave in Court, it shall be possible for the Judge to order such offender into custody and commit him for any period not exceeding seven days. I maintain that that is a power which ought not to exist under any circumstances, as I know from personal knowledge that it may be used in a most arbitrary way. We are wise, I think, in insisting on the withdrawal of this source of irritation and friction. Whether you allow imprisonment or not, the moment you pass this Bill the Welsh people will be more determined than ever that the tithe shall not be paid. I do appeal to the House to consider whether at this moment it would be well to take a new departure of this kind simply in the interests of the dignity of the Court, without surrounding it by some safeguards by way of appeal or otherwise?

*(4.32.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): When the hon. Member first raised this subject I thought that all he proposed to do was to limit the power of the County Court Judge in these matters to the provisions of the County Courts Act, 1888. We are quite in accordance with that view, and I shall be prepared when the time comes to move a few words at the end of Sub-section 7, which would give, I think, effect to it. But now a far different matter is being raised, and it is impossible for us to concede what is being asked. The hon. Member proposes that

> "The County Court shall not have power to impose any penalty, either by way of fine or imprisonment, for non-compliance with, or disobedience to, any order or officer of the Court in any proceedings under this Act, except only in the cases specified and provided for in Section 48 of the County Courts Act, 1888."

But I am sure the hon. Member is too well acquainted with the County Court Act not to see that the provisions of such a clause are far wider than he at first contemplated. He must be aware that Sections 50, 102, and 111 of the County Courts Act of 1888 set out offences punishable by fine, which nobody can say with any reason ought not to be so punished. Among these offences are extortion, misconduct, or refusing to account for money on the part of an officer of the Court, non-attendance of juror, and refusing to give evidence, to produce books, or to be sworn as a witness. Surely no one would desire to deprive the County Court of the powers it possesses in these cases, and no hon. Member would feel sympathy with offenders of this kind. Then Section 162 enables the Court to commit for a period of seven days for insults directed to the Judge, jurors or officers of the Court, or for misconduct in Court. When this clause was under discussion in Committee I understood that its supporters were willing that Section 162, as well as Section 48, of the Act of 1888 should be recognised as applicable to cases brought under this Bill.

*MR. S. T. EVANS (Glamorgan, Mid): For offences committed in Court.

*SIR M. HICKS BEACH: I understood the words of the right hon. Gentleman the Member for Derby as tantamount to a suggestion that both sections should stand.

SIR W. HARCOURT (Derby): With some modification of Section 162.

*SIR M. HICKS BEACH: I do not wish to doubt the right hon. Gentleman's recollection, but I do not remember that he suggested any modification of Section 162. An hon. Member has spoken of that section as a discredit to our system of administering justice. But the House will remember it was deliberately settled after a most patient investigation by a Committee a little more than two years ago, and the right hon. Gentleman the Member for Wolverhampton took a very active part in the consideration of the matter. Why should a law agreed to so recently as that be changed in respect only to actions for the recovery of tithe rent-charge? The House should observe that the power of the County Court Judge, under Section 162, is limited to committal for seven days. The section is intended to protect the Court from insult. There is no power, as has been suggested by some hon. Members, to fine a man for calling for "three cheers for Mr. Gladstone" while the process of recovering tithe rent-charge is being carried into effect. The forty-eighth section will only apply in a case where an officer of the Court is assaulted in the execution of his duty, or where a rescue is made or attempted. I have only to say, in conclusion, that if hon. Members opposite desire that it shall be made clear that the powers of the County Court Judge, under this Bill, shall be limited by the provisions of the Act of 1888, I am willing to insert in the measure words for that purpose. If, on the other hand, the intention is to take away from the Court some of the powers deliberately granted by the Act of 1888, I must resist it.

(4.40.) SIR W. HARCOURT: I understand——

*MR. SPEAKER: Order, order! The right hon. Gentleman has already spoken on this Amendment.

SIR W. HARCOURT: Certainly. But I only wished, by the indulgence of the House, to make a suggestion to my hon. Friend. It is, that as the right hon. Gentleman will undertake to bring in words of his own to carry out my hon. Friend's wish, and as there will be an opportunity upon that Amendment to discuss the whole matter, it would be as well now to let the subject stand over until the House is in possession of the right hon. Gentleman's Amendment.

*(4.42.) MR. S. T. EVANS: When will the words proposed by the Government be in our hands?

*SIR M. HICKS BEACH: I will put them on the Paper as soon as I can—probably to-night.

*MR. S. T. EVANS: Then I am prepared on that understanding to take the course suggested by the right hon. Gentleman the Member for Derby.

Motion and Clause, by leave, withdrawn.

(4.43.) MR. RANDELL (Glamorgan, Gower): I have to propose a new clause, to the following effect:—

> "In any action or matter under this Act, it shall be lawful for the plaintiff or defendant to require a jury to be summoned to try the said action or matter."

Now, trial by jury is a privilege possessed by all litigants, and no good reason has been urged by the Government for denying the same right to the tithepayer. I raised this question in Committee, and I again raise it on Report, because of the strong feeling in the Principality in favour of the clause. The tithepayers cannot understand why they should be deprived of the protection of trial by jury. Under Section 101 of the County Courts Act, 1888, there is no right to a jury except in cases where the amount claimed exceeds £5, unless by leave of the Judge. Now, that rule should not apply in this matter. The tithepayer should have an absolute right to trial by jury. I therefore hope the Government will concede this, as, if they refuse it, hardly a tithepayer in Wales will be able to take his case before a jury. The great majority of the cases arising under the Act will be under £3. In the largest agricultural county in Wales, Carmarthenshire, the average of the tithe is a little over £3, in another county it is £2 15s., and in a third £2 11s. The County Court jurisdiction runs up to the sum of £50; under the Employers' Liability Act it is up to £300, and on the equity side it goes up as high as £500. I take it, when the £5 limit was fixed it was intended that the poorest litigants should have the right to a jury. Now, these tithe cases are not without a political significance. The noble Lord the Member for Darwen the other evening seemed to deny that they were of a political character, and he went on to make the astounding statement that if they were of a political character then a Judge was the best tribunal to deal with them, and not a jury.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): What I said was that they ought not to be of a political character; but that if political feeling were improperly imported into them, then it would be better for a Judge to deal with them than to have a jury.

MR. RANDELL: I fail to see the distinction between my version of the noble Lord's remarks and the one he has just given. I maintain that these cases are not without political significance, and that, therefore, juries form the best tribunals to deal with them. There is another reason why the Government should concede this, namely, that I think, with one exception, the County Court Judges in the Principality of Wales—and I cast no reflection upon them for it—are English-speaking gentlemen, without any knowledge whatever of the Welsh language. It is, therefore, of importance that in matters like these they should have the intervention of a jury who understand both languages. Under the existing system, the evidence has often to be interpreted, and is very imperfectly translated. If the Government do not accept the clause, I must press my Motion to a Division.

Clause (Trial by Jury,)—(*Mr. David Randell,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(4.49.) SIR M. HICKS BEACH: I am sorry that the hon. Member has thought it necessary to raise this matter, because it has been very fully discussed already in Committee, and all the arguments which he has now employed have been adduced before. I have listened carefully to his remarks, and I do not think he has added anything to his previous arguments. With regard to

those small sums below £5, there is no particular grievance so far as Wales is concerned, because tithes to the like amount are to be found in every parish in England. I could name parishes where the number of small sums payable as tithe are quite as numerous as in any place named by the hon. Member. If the clause is accepted, there will be one law for the recovery of debts generally under £5, and another when the sums are due for tithe rent-charge, and I certainly see no reason why such a distinction should be drawn.

*(4.51.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I certainly cannot understand what the noble Lord the Member for Darwen meant by the distinction he drew between proper and improper political feeling. Probably he would say that Liberal political feeling was improper and Conservative proper political feeling. It is quite clear that some sort of feeling, whether ecclesiastical or political, does enter into the matter. As my hon. Friend said, if the Government do not accept the new clause, there will, in Wales, be practically no right to a jury at all, because in almost every case the amount in dispute will be under £5. The desire to have the matter tried by a jury does not depend upon the amount at all; it is a question of principle; and if the cases are tried by men who do not understand the Welsh language, the defendants will think they have not been fairly treated. The clause is in the interest of the County Court Judges themelves, who, I am sure, would desire to shift the responsibility to a jury. I may point out that the clause does not compel the parties to go to the expense of a jury: it will be optional.

(4.53.) MR. J. L. MORGAN (Carmarthan, W.): If the Government desire that this Act shall work smoothly and easily, they would do well to accept this reasonable suggestion. We are told that the Welsh people will not suffer any grievance by reason of its rejection, but we know now that the average of the payment is about £3, so that a jury will be refused in nearly every case. The case of England is entirely distinct from that of Wales, because there the tithe payments are usually very much in excess of £5. Therefore the English tithepayer will be able, if he desires, to have his case tried before a jury—a privilege refused to the Welsh tithepayer. I should be the last man in this House to impugn the impartiality of the County Court Judges in Wales. I never have done so, and I hope I never shall. But that is not the question we have now to consider. The question is whether or not the people who are to be brought into the County Court will believe they will get justice if they are refused a jury. The Welsh tithepayers are a body of men most anxious to meet their just liabilities, but the tithe is a burden, the bearing of which they object to on moral grounds. Probably they have never before been brought into contact with the County Court, and they do not understand the English language; but if they have a jury it will go far to assure them that they will get justice, and they will not leave the Courts grumbling at the Judge and throwing out the suggestion that the case has not been properly tried. I hope the Government will accept this new clause.

(4.57.) SIR W. HARCOURT: It is quite true, as the right hon. Gentleman has suggested, that this question has been already discussed in Committee, but the whole object of our proceedings is that we shall have, not vexatiously, but on questions of principle, an opportunity of challenging the decision of the Committee. This is an important matter, although it may not be necessary to go into it at length; but it depends upon what we are going to do, whether this County Court jurisdiction is to be a blessing or a curse. Are you going to make that jurisdiction fall more heavily on the tithepayers? This matter affects the County Court just as much as it does the tithepayers. The County Court is, on the whole, a great blessing to the poorer classes; it is an efficient and, on the whole, a cheap method of recovering debt, and on that account we ought, if we can, to maintain the character and the popularity of the County Court in the country. But now what are you going to do? You are going to make the County Court the instrument, practically speaking, of fighting a political battle. That will be extremely injurious to the County Court, for the County Court Judge will then become, as it were, the protagonist in the tithe war in Wales. If you leave him the undivided responsibility you will inflict an immense injury on his position. In the interest of the County Court Judges, then, it is desirable the responsibility should rest, as far as possible, upon a jury. In the general administration of the law in this country it has been an enormous advantage to the Judiciary to have a jury to share the responsibility of decisions. There cannot be the smallest doubt that the measure as it stands will place the County Court Judge in a position of immense difficulty in this class of cases. It has been observed by a noble Lord on the other side that in political cases it is better to leave the decision to a Judge without a jury. But you are not going to exclude the jury from political cases where the sum involved exceeds £5. If a man happens to belong to the wealthier classes he can have a jury. In England the larger proportion of cases being over £5 there will be a right to a jury; but in Wales the poor tithepayers will hardly ever have a jury at all. That is a distinction extremely invidious. For these reasons the Government should re-consider their decision. They ought to reflect how their scheme will operate upon County Court jurisdiction. Upon the decision of the Government will depend whether or not we shall offer a strong resistance to the whole Bill, or at any rate to the County Court Clause. I am not in favour of County Courting the tithepayers throughout the country. You must take adequate guarantees that the County Court jurisdiction shall not be made oppressive. It is most important that in transferring the jurisdiction we should leave no elements of vexation that can be avoided. From the point of view of mitigating the difficulties of litigation it is most reasonable that in all cases the parties should have a right to a jury. You do not deny that right if the tithe payable is over £5. The Government say they are not enforcing a new principle. But my reply is that for the first time you are putting tithes under the County Court jurisdiction, and that in itself is a reason for considering how to make that jurisdiction least oppressive. I am quite sure, from what I know of the character of this question, both in England and in Wales, that this Act will give rise to serious friction, which will injure not only the interests of the parties, but also your County Court jurisdiction. Under these circumstances, I hope the Government will seriously consider their position with regard to this matter; at all events, there is only one course open to the Opposition, and that is to offer a most earnest protest, and to place on record the fact that we have contended strenuously with the Government to secure for the poor people of Wales a right to a jury in all cases arising out of tithe.

*(5.9.) MR. J. BOWEN ROWLANDS (Cardiganshire): I had hoped that in the interval which has elapsed since this matter was last discussed the Government would have seriously reflected on the position in which they find themselves, and have come to the conclusion that they would best serve their own interests by conceding this point. I contend that the Government, by conceding the Amendment, will serve, first, the interests of those to whom is confided the administration of justice in tithe questions, namely, the County Court Judges, who would gladly see themselves rescued from the invidious position of acting both as Judges of law and fact in the new and delicate administration intrusted to them; secondly, they will advance the interests of the people of Wales, because by far the great majority of cases arising in the Principality will involve sums of less than £5; and, lastly, they will serve their own interests, because there is much objection to the alteration of the law proposed by them of bringing the recovery of tithe within the County Court jurisdiction. Everything should be avoided which will tend to keep alive the dissatisfaction felt with this new mode of dealing with unpaid tithe, and it would give confidence to the people, and enable the Act to work smoothly, if this Amendment were accepted. In face of these advantages, to what disadvantages can the Government point? What is there to justify them in refusing to accept this Amendment? We have been told by an hon. Member opposite that a Judge is the best tribunal where political considerations are properly or improperly imported into a case. Now, whilst placing on record my belief that the County Court Judges in Wales will do their best to administer the law impartially, may I point out it is impossible for them to disentangle themselves from those prejudices which belong to them as men. If juries are prejudiced, so also Judges may be, and in choosing between the two it is well to select the tribunal most likely to have the confidence of the general public. The right hon. Gentleman the President of the Board of Trade, whose courtesy we have had so much pleasure in acknowledging in these Debates, says we have advanced no new arguments; that may be taken, perhaps, as a tribute to the exhaustive nature of the arguments before adduced. It is clear, however, our arguments have not had the effect we hoped for. We believe this is a vital question, and we still hope that the Government will reconsider their decision, for they have not shown any disadvantages likely to arise from the concession.

*(5.15.) SIR M. HICKS BEACH: The remarks I addressed to the House upon this subject have been misunderstood. It has been assumed that if this Amendment is not accepted, cases under £5 will be precluded from trial by a jury, This is not so at all. My proposal is that in all actions where the amount claimed does not exceed £5 it shall be lawful for the Judge, on the application of either party, to order that such action shall be tried by jury. Therefore, if the Judge thinks fit, he will order a jury in cases under £5.

*MR. J. BOWEN ROWLANDS: That is so, but we say the right should be absolute, and that it should not be left in the discretion of the Judge.

*(5.17.) SIR J. SWINBURNE (Staffordshire, Lichfield): The only objection to this clause put forward by the Government is that it will alter the County Court procedure. But I think that as the Bill will introduce an entirely new means of collecting the tithe, and a more expensive means than formerly, the right of a jury should be given in all cases, especially as the larger number of tithe claims are for amounts under £5. I can conceive no valid objection on the part of the Government to granting the privilege asked for. I do hope the President of the Board of Trade will re-consider his decision.

*(5.19.) MR. S. T. EVANS: If we have said nothing new in favour of the clause, the Government have said nothing new against it. It appears to me that the objection of the Government to the

clause is simply an academical one, for they will not grant the concession because it is not in the County Court Act at present. But the right hon. Member for Derby has fully answered that objection, because, as he stated, a new jurisdiction is to be given to the County Court. What harm can possibly follow from the acceptance of the new clause? On the contrary, you will, by agreeing to it, preserve respect for the County Court Judge, and you will keep up the sympathy which now exists between the Judiciary and the suitors in the Court. It has not been shown that a single disadvantage will result from granting trial by jury in cases under £5, and I cannot understand why the Government so obstinately oppose it. Why should you make this difference between a claim for £5 0s. 1d. and one for £4 19s. 11d.? The objection of the Government is a purely pedantic one. Moreover, by the terms of the clause the right in such cases will be optional, and thus the point of expense falls to the ground. Surely if a plaintiff or defendant thinks he will have a better hearing with a jury, and chooses to pay the additional expense, he should in common fairness be allowed the privilege of a jury as well as in cases of more than £5. If the Government accept the clause they will facilitate the passing of this Bill. Can the Attorney General point out any disadvantage likely to arise from the adoption of the clause? If not, do not let us have it.

(5.23.) MR. WARMINGTON (Monmouth, W.): I look on the clause as a sedative, which will allay the irritation likely to be caused by the Bill. By adopting it the collection of tithe will be made less distasteful. It will tend to the smooth working of the Act, and remove the natural irritation which will otherwise arise, especially among the small tithepayers, against the County Court system of collection. It will, moreover, relieve the Judges of a responsibility which I am sure they will have no desire to exercise. I number many of those Judges among my personal friends; and, speaking from their point of view, I say this duty if cast upon them will be a very distasteful one, and they would hail with pleasure the intervention of a jury. If the clause is not accepted you will have different practices in different districts. One Judge will allow a jury in cases under £5, and another Judge in the adjoining district may not, and there again will be cause for dissatisfaction. Again, if there is a right to a jury, a tithepayer will not necessarily demand one, but he will know if the decision of the Court goes against him it was only by his consent that the Judge adjudicated. The acceptance of this clause will take from the Judges a responsibility, the exercise of which would be most unpopular, and will throw it upon the class of people by whom the tithe has to be paid. I think that, under these circumstances, the Government should agree to the clause.

*(5.27.) COLONEL HUGHES (Woolwich): What particular point would have to be decided by a jury in these cases? That is a question I wish to put to hon. Members opposite. If a case goes into a County Court the only questions to be decided are those of apportionment and ownership. It is not like a running down or right of way case, in which there may be a conflict of evidence. I am perfectly certain the Judges of County Courts in England and Wales will be quite ready to exercise any responsibility the Legislature may place upon them, and will have no desire to evade it. I confess that I see no necessity for juries in these tithe cases at all, whatever the amount. The main points for decision will be for the Court, and not for a jury. The only thing for which a jury could be called in would be to say whether tithe shall be paid at all — that is for us — and surely it cannot be said that such a course will facilitate the recovery of tithe. It might lead to numerous disagreements of juries, and destroy the chance of recovering tithe. I have not heard a single argument to justify the adoption of the clause, and I fear that if it is accepted it will only open up new and serious sources of trouble.

(5.29.) MR. F. S. STEVENSON (Suffolk, Eye): The argument of the hon. Member for Woolwich applies with as much force to cases over £5 as to cases under £5. If the clause is carried there will not be one law for England and another for Wales, though no doubt appeals to a jury will be of more frequent occurrence in Wales than in

England. I trust that some answer will be given by the Government—by one of the Law Officers of the Crown—to the question raised by the hon. Member for Glamorganshire. The objections stated by the Government to having a jury in cases under £5 have been most extraordinary. After all, it is not a difference of principle that is involved at all. The difference is one merely of degree. The right hon. Gentleman the President of the Board of Trade (Sir M. Hicks Beach) hinted that he was not in favour of having one law for England and another for Wales. If this clause were carried that would not be the case, because there would be one law only for the whole of Great Britain in this matter. I cannot agree with the suggestion that the clause should be made applicable only to Wales, because there are many cases in England in which the amount of the tithe is very small, although in comparison with the aggregate amount paid the number of cases of small payments in Wales is no doubt larger than in England. But if this concession is made in Wales I do not see why it should not also be made in England. An answer to those who raise objections to the clause on the ground that it would be rarely made use of can be supplied from the lips of the right hon. Gentleman the President of the Board of Trade himself. In one of the earlier stages of this Debate it was urged on this side of the House that the benefits of Clause 3 could not be obtained by the tithepayer except in cases where the matter had been brought before the County Court, and the right hon. Gentleman contended that in the great majority of cases the matter would not be brought before the County Court at all, but would be settled amicably. Probably in practice the number of appeals under this clause would not be as large as is anticipated in some quarters; but, on the other hand, the probability is that when they were made some important question of principle would be involved, and it is very difficult to see why a distinction should be drawn in this respect between cases of over £5 and cases involving less than that amount. The only result following upon the rejection of this clause will be the same as that which will follow upon the rejection of the Amendment of my hon. Friend the Member for Carnarvon (Mr. Lloyd-George), namely, that the settlement of these questions will be relegated as far as possible to a sphere in which the tithepayers will have no power whatever, and in which those who are responsible for the decision cannot be made amenable to public opinion on the spot. I think you are placing an extremely invidious task in the hands of the County Court Judges, and one which will recoil not only on those who perform these invidious duties, but on the Government which has cast such duties upon them.

(5.34.) MR. LLOYD-GEORGE (Carnarvon, &c.): I think I am correct in saying that tithe is assessed on the whole farm. Now, suppose a case in which a farm is split up into allotments amongst six or seven different proprietors. Whenever the tithe owner sues for tithe in such a case questions of the amount to be paid by each man, and boundary and other questions will have to be decided by a jury. This is not a mere conjectural case, because I was myself consulted in a case where one little peasant proprietor had for 30 or 40 years paid tithe on land which belonged to another owner, the tithe not having been properly allocated and assessed. I believe that such cases frequently arise, especially in Wales, and therefore I say that the proposed clause is specially applicable to Wales. The right hon. Gentleman in charge of the Bill has complained that we are reiterating the arguments we used in the Committee stage. That is not our fault. To not one of those arguments did the Government attempt to give a reply, and they did not even allude to them categorically. I think I am correct in saying that the learned Attorney General made the only speech on behalf of the Government, and that he made no attempt whatever to reply to the several speeches delivered on this side of the House. One of the arguments put forward was that the judgment in a case, which in itself involved only a question of £1, might decide the principle raised in 40 or 50 separate cases brought before the Court on that day. Why, it was asked, should there not be a jury in a case of that kind? Another argument that has not been answered is based upon the fact that in a civil debt case of £5 the defendant may demand a jury, and the Court has no option in the matter. In a tithe case it must be remembered that the payment involved is an annual payment, and I do not see why any distinction should be made between cases in which £3 or £4 and those in which £5 or £6 is involved. Under the circumstances, I think we are right in pressing the clause to a Division.

(5.59.) Mr. ABRAHAM (Glamorgan, Rhondda): Although we are not able to bring forward new arguments which are conclusive enough, in the opinion of Gentlemen on the Treasury Bench, to justify them in acceding to our proposals, we are bound to carry out our duty to our countrymen. If we cannot any further argue the question with the Government, I am not ashamed to stand here and appeal to them on behalf of my fellow countrymen, against whom this Bill is directed. I am not ashamed of saying again that unless this clause is granted to us our people will not be upon equal ground with the English people in these matters. It is not sufficient to tell us that we cannot be dealt with differently from people in Yorkshire or in other large English counties. We say there is a great difference between the two cases. There is in Wales a strong repugnance to the payment of an impost for which the people receive no service. Indeed, we go further, and say there is a strong repugnance to keeping alive a class of people who will not work for their living. These people demand pull pay, although they do no work for it. We find on inquiry that four-fifths of the amounts in dispute in Wales will not be sufficiently large to secure the empannelling of a jury, whereas in England three-fourths of the tithes will be large enough to entitle the persons concerned to claim a jury without the option of the Judge. How can it be said, under such circumstances, that the two peoples are upon an equal footing? Again, I cannot refrain from referring to the right of all citizens to be tried by their fellow-countrymen, and in this respect there will be some inequality between the English and the Welsh. Three-fourths of the English people concerned in the payment of tithe will have the right to be tried by their peers, whereas you refuse the same right to four-fifths of the Welsh people, who are quite as law-abiding as the English. For these reasons we again ask the Government, if they despise our arguments, to listen to our appeal. If they want the law to be obeyed, let them help us to make this Bill work as smoothly as possible in the Principality. This Bill is about to be passed against the expressed wish and desire of five-sixths of the Representatives of Wales, and the remaining sixth do not care to come here to represent their constituents. There could not be a stronger indication of the real feeling of the Principality than the fact that the few Welsh Members who sit on the opposite Benches dare not say a word in support of the Bill. By this Bill you are only making a scourge for the people's backs, because 10,000 Bills would not change Welshmen's opinions as to your right to tithe.

(5.44.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I assure the hon. Member for Rhondda (Mr. W. Abraham) that we have no wish whatever to despise the arguments of the Welsh Members; neither have we any desire, as the hon. Member for the Eye Division (Mr. F. Stevenson) seemed to impute to us, to avoid the control of public opinion. But it must be borne in mind that the question to be tried is not whether tithe ought to be levied, but simply whether the land in question is subject to tithe, and whether or not tithe ought to be paid. There cannot be one case in a hundred in which there should be any political feeling, or which ought to be controlled by public opinion. As to the trial by jury of causes in the County Court, hon. Members know perfectly well that frequently applications are made to the County Court Judge for a jury, and that after looking into the circumstances he orders one to be empannelled. Depend upon it, if the County Court Judges feel they may, in certain cases, be accused of political bias, they will be the first to recognise the wisdom of empannelling a jury. But, knowing, as we do, that not only in Wales, but in England, there are in some parishes hundreds of tithepayers, and that the tithe only amounts to a few shillings, we cannot see any reason why there ought to be any deviation from the ordinary rules applicable to the cases of small debts in County Courts.

Mr. F. S. STEVENSON: My contention with regard to public opinion was that if you allow public opinion to be brought to bear on juries in cases of sums over £5, you cannot consistently exclude public opinion in the case of sums of less than £5.

(5.48.) Sir G. TREVELYAN (Glasgow, Bridgeton): The Attorney General has stated very moderately his reasons for refusing to agree to this Amendment, and in view of his moderation I am surprised the Government do not accept the clause. We have been accused of the reiteration of arguments; but there is a new argument which, drawn as it is from experience in this House, will, I think, appeal to hon. Members: it is the argument of the Division List. It is really extraordinary that when you have, with one single exception, the whole body of Welsh Members supporting a request that there should be granted in these cases the right of trial by jury, the House of Commons should reject the proposal. Suppose that all the Representatives of our shipping ports, with the exception of one hon. Gentleman, were to protest against some Bill with regard to shipping which the Government had brought in, would the Government force that Bill through the House? Or if all the county Members of England were to protest against a Local Government Bill, is it credible that any Government would force the measure down their throats? It seems to me the Welsh Members have very good reason for the stand they are taking. This Bill is, as regards England, comparatively unimportant. It is true it will alter the incidence of tithe and will really be a nuisance to a good many landowners, but in Wales the case will be more serious. In Wales there will be a forcing of the consciences of the people, and here I come to the main argument of the Attorney General. He says that in the cases that will come before the County Courts no public opinion will be involved. Public opinion of the most important kind will be involved, namely, the public opinion of the community as to whether the judgment is a just one or not. You have not to consider the judgment only, but you have to consider what will follow the judgment. The execution of the judgment will be carried out under circumstances which we know occasionally involve disorder. By whom will the cases of disorder be tried? It may be by the County Court Judge proceeding by way of contempt of Court. The County Court Judge is an official against whom I can say nothing except that he is a lawyer with a lawyer's ideas of these matters and a lawyer's feeling that he must administer the strict letter of the law without regard to the conscience or politics of the people. Or the cases will be tried by Justices of the Peace, and who are the Justices of the Peace in Wales? There are counties in the Principality where four-fifths of the people are Nonconformists, where Nonconformity and the Church come into serious conflict, and yet where not three, not two, of the Justices of the Peace are Nonconformists; sometimes there is not even one Nonconformist on the Bench. It is the original decision which settles what amount of tithe shall be paid, and we ask that in all cases a jury may be granted if either party desires it. The Government acknowledged in the most handsome manner a day or two ago that there had been no obstruction of the Bill on these Benches. Since then, however, we have had Debates and Divisions of a very different character, because the Government have come to the point of resistance. I believe the Government would do well to give way on this point. I do not quarrel with the speeches they have made in favour of their view, but I say they have not argued in a manner to show it is of any serious importance whatever. I am told by hon. Gentlemen who know Wales that the question whether these disorders shall be serious or light depends a great deal on whether the people are handled in a kindly and considerate manner or not. The Government would do well to imitate on a large scale the example of those Chief Constables and Magistrates who have shown consideration on a small scale, and give way to the universal request of the Welsh Representatives.

*(6.0.) MR. KNOX (Cavan, W.): I know hon. Members are anxious for a Division, so I will only occupy a few minutes in speaking in support of this Amendment. An hon. Member has asked what are the questions of fact a jury may have to determine, and I suppose he will admit that on a difficult question of fact it is proper that a jury should determine. Well, I hope after the speech of the Attorney General the hon. Member will support the Amendment, for the Attorney General has shown that there are questions of fact to determine—difficult questions of fact relating to identity of parcels and other similar matters. I notice that the framers of the County Court rules have recognised the necessity of trial by jury in similar cases already. In the case of an action for the recovery of land a jury may be demanded by a defendant in any case, and the questions of fact in these cases are very often precisely those questions which will have to be determined under this Bill. If it be considered desirable that a defendant in an action for the recovery of land should be entitled to a jury, why in the name of common sense should these farmers be deprived of that right when questions of precisely the same nature have to be determined here? We are told there will be no question of fact suitable for a jury to determine, and yet at the same time the Government have consented that in all cases over £5 a jury may be empannelled. Why should there be a different law for the rich and poor? Why should not the small farmer have the same right to a jury on questions of fact as the large farmer has? Over or above £5 the issues would be precisely the same. The Attorney General dealt somewhat lightly with the powerful argument of the hon. Member for Carnarvon as to the fact that in these cases it would largely be a question of capitalised value which would have to be determined. The Attorney General says it would be open to the defendant to raise the same question year after year when asked to pay his tithe, and that, of course, as a matter of theory, is perfectly true; but, as a matter of practice, we may be pretty confident that when the County Court Judge has decided a case one year, involving (say) a troublesome question as to identity of parcels, the Judge will not treat with much consideration a defendant who, by his action, insists on having the same question raised again in the following year. As a matter of fact we know the same question would not and could not be raised year after year. In the jurisdiction of the County Court the difference between an annual payment and a total payment has been recognised. Up to 1888 the limit of actions of ejectment was £20, but in other matters £50. Why this distinction? Evidently because the Legislature considered the limit should be smaller where the annual value was affected. Why not apply the same principle in this case? There is one other matter to which I should like to refer, as it is to some extent connected with the working of a system of small farming with which I am acquainted, perhaps, better than many hon. Members who do not know the conditions of small farming, and how trying these conditions may be in a hard year. For instance, the loss of a cow may handicap a small farmer most severely in one year, and on such an occasion the considerate tithe collector, the parson who does not wish to be at loggerheads with all his parishioners will grant more time for the payment of the tithe. But if doing this makes the difference between an amount due of over or under £5, then the parson will be tempted to sue at once, because he may desire to avoid a jury, thinking that the judgment of the Court without a jury is more likely to be in favour of the tithe owner than the tithepayer. As a matter of practice I think this might press heavily on small tithepayers. We have been told the Amendment would allow a jury to be empannelled on merely frivolous grounds, but a defendant will, if he has a jury, where his defence is frivolous, have to pay 5s. in addition to his other costs, and I do not suppose a man to whom such sums would be of great importance will be foolish enough to incur this fine unless he feels there is some question of fact which in justice a jury ought to determine. I think our Welsh friends are right in pressing this Amendment; they are

fighting an issue similar to one we have had to fight in Irish Courts of Justice, and ultimately in the House of Commons.

(6.10.) MR. FLYNN (Cork, N.): I join in encouraging our Welsh friends to press this Amendment. I have listened carefully to the arguments on this clause, and to the discussions we had in Committee, and it seems to me the arguments of the hon. Members for Wales are unanswerable. Undoubtedly this tithe Bill has especial interest to Wales; the question of tithe is a burning one there, and without such safeguards as these I am afraid this Bill will be regarded in Wales as a measure of coercion. I contend that this is not, as the Attorney General would have us believe it is, a question of legal nicety; there is a great principle involved, and we shall give Welsh Members our strenuous support. The Attorney General made a great point of the raising of frivolous actions in Welsh Courts on these tithe questions if the clause were adopted, but I do not see, because it is possible that the operation of a law may be abused in a few isolated cases, that this safeguard should be refused to the Welsh people on this subject on which they feel so intensely. If many cases arise of amounts under £5, that will be because the people have such strong feelings on the subject. Estimable as many of the County Court Judges may be as men, and excellent Judges on questions of law as in ordinary cases they may be, we may well conceive that there may be in Wales, as I know there are in Ireland, cases in which County Court Judges do not act as they do towards other cases. I know in Cork a County Court Judge of high character, but in any case where in the smallest and most remote degree the National League in concerned this Judge is hopelessly prejudiced. I can conceive that the same thing may happen in Wales in relation to the tithe question, and hence I think this clause most desirable. I really cannot understand why the Government should so obstinately resist the Amendment.

*(6.15.) MR. ABEL THOMAS (Carmarthen, E.): I hope that even yet the Attorney General may see his way to accept the Amendment. I am sure hon. members on the other side cannot have so much experience of County Court juries as we have, or they would not have the fear of them they seem to entertain. In the tens of thousands of cases dealt with by County Courts in England and Wales at the present time not five in a thousand are tried by jury. I can speak from personal knowledge of the Courts in Wales, and I can say, in Cardiff, for instance, not more than one in a thousand cases goes before a jury, and, when there is such a case, it is because character is at stake, or it is a heavy liability action. If we have this Amendment inserted, it is utterly absurd to suppose that for more than one in a hundred of these tithe cases a jury will be summoned. It will only be when some case has caused great local excitement, and when there are oaths against oaths, and the opinion of a jury would be useful. Why is it to be imagined that Welshmen will be so foolish as to summon a jury in every tithe action where amounts of 20, or 30, or 40 shillings are concerned? It will only be done in cases where much feeling is excited in the neighbourhood, and on occasions when it will be the best thing for the Court that there should be a jury. There are in my recollection two tithe cases tried in Wales last autumn, cases in which I was engaged, and which caused a considerable amount of excitement. One of these was a question of illegal distress for tithe, and the other was an assault upon a bailiff. In both cases we had a jury; there was conflicting evidence on oath, half a dozen witnesses swearing different ways. In both actions the jury gave a verdict in favour of the tithe owner, not the tithepayer, and I venture to think that if a County Court Judge had given the verdict the jury gave in either case he would have been hooted throughout the length and breadth of the Principality, but the fact that a jury of their own countrymen had given the verdict settled the whole matter so far as the opinion of the people in the district was concerned, and I do not think the justice of the decision has been called in question. Only in extreme cases would the power of calling a jury be used, and in cases where it would be the greatest blessing for the Judges themselves. The people would know that Nonconformists and Churchmen would be represented

on the jury, and that it would be an honest verdict according to the evidence. There could be no possible harm in the arrangement; the Amendment cannot injure the efficacy of the Bill, and it will give satisfaction to the vast majority of the Welsh people.

(6.21.) MR. STUART RENDEL (Montgomeryshire): The feeling in favour of the Amendment is unanimous among Welsh Members, and those who have spoken in support of it have had practical experience in relation to these matters and to County Court proceedings. The force of the arguments used must be acknowledged, and I trust the Government will yet yield on this point of principle we consider it our duty to urge. If we cannot succeed in inducing the Government to accept this modification of County Court jurisdiction then we shall have to move the omission of the jurisdiction of that Court altogether. We have not been without encouragement in the Committee discussion; the majority against us dwindled to a remarkable degree. I hope the Government will yet accept the proposal and that we shall be saved the necessity of going to a division.

*(6.23.) SIR M. HICKS BEACH: May I appeal to the House now to come to a Division? We entirely appreciate the ability with which the Amendment has been urged. We have listened attentively to the arguments, but I am sorry to say we cannot accept the Amendment.

(6.25.) The House divided:—Ayes 149; Noes 200.—(Div. List, No. 37.)

(6.36.) MR. D. RANDELL: I beg to move the new clause which stands next in my name, and which is directed against the awarding of costs on the higher scale. I would point out what may be the result if some such clause be not inserted. In one case where only three guineas were recovered, the taxed costs of the successful litigant amounted to the sum of £19 14s. In another case, where £5 was recovered, the costs were as high as £35; in another they were £41, and in a case tried the other day, in which tithe amounting to 2s. 10d. was involved, the taxed costs of the plaintiff and defendant reached a sum exceeding £100. I say that the Bill would place too much power on this point in the hands of the County Court Judges. It is true that the Government have met us with respect to the costs to a certain extent by proposing to insert a schedule of costs in the Bill, but unless Section 119 of the County Court Act is made inoperative by the insertion of a special clause in the Bill, that will be of no use whatever, because it will always be in the power of the County Court Judges to award costs capriciously on a mere statement, that in his opinion the action involves a novel point of law, or that the litigation is of special or public importance. When a suggestion was made in this House some few evenings ago, that novel points of law might be involved, the Attorney General demurred, and therefore I assume that the Government do not anticipate that such novel points will come within the operation of the Bill. If the Government are sincere, as I take them to be, in this matter of keeping down costs to the lowest possible amount, I hope they will accept the clause.

New Clause (Costs,)—(*Mr. David Randell,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(6.40.) SIR R. WEBSTER: I regret that I am not able to offer the hon. Member any encouragement. His argument was a little inconsistent with what has already occurred. He appealed very strongly to us the other day to allow an appeal on all questions, because points of law might be raised. I expressed the view at the time that the right of appeal was already given, but in deference to the wish of the right hon. Gentleman the Member for Derby (Sir W. Harcourt) and others, we inserted in the clause a provision enabling an appeal to be made beyond all question. Now I ask the House to consider what this Amendment is. No one suggests that the County Court Judge will wantonly allow costs on the higher scale. No one will suggest that Section 114 of the County Courts Act has been in any way abused, and I should say that it is only in the rarest circumstances that the

County Court Judge will exercise the power possessed by him. A case has been suggested in which a farm has been purchased by two owners, and a difficult question of tithe, or a question involving the rights of a class is raised and a test case has to be tried. I ask whether any suggestion can be made by hon. Gentlemen opposite which would lead us to come to the conclusion that a County Court Judge would knowingly certify in writing that an action involved a novel or delicate point of law when it did nothing of the kind? It has been held in the County Court Acts that in order to prevent defences being raised which put the plaintiffs to expenses they ought not to be asked to incur, the County Court Judge should have this power. The power is essential in the interest of the tithepayer as well as the tithe owner. The tithepayer may be put to great expense in proving a point of law, and in his desire to get a certificate from the Judge may point out that his case is a representative one, and that the decision affects not only himself but 40 or 50 other people occupying portions of the same freehold; and yet, if this clause were passed, the County Court Judge would be debarred from certifying for exceptional costs. It seems to me that the clause would be unfair both to the tithe owner and the tithepayer, as well as contrary to the claim made by hon. Gentlemen opposite on the question of appeal, and I am, therefore, afraid we must refuse our assent to it.

*(6.45.) MR. S. T. EVANS: I think the attitude taken up by the Attorney General is inconsistent with his position on the last clause we debated, when his argument was that where the amount in dispute is small, the principle involved cannot be large, and, therefore, should not be referred to a jury.

SIR R. WEBSTER: That was as to questions of fact.

*MR. S. T. EVANS: But the argument now is that though the amount in dispute may be small, there may be important points of law raised, and the Judge should have power to impose heavy costs on either party. We have heard a case quoted by my hon. Friend in which the amount in dispute was only a few pounds, but, yet, the costs

Sir R. Webster

amounted to £100. I do not know whether any one will get up and say that however novel the point of law that was raised, or however much a body or class of persons was affected, the costs were commensurate with the claim. The Government have put down a scale of fees to be allowed in cases under this measure. I am not going to discuss that scale now, but I may be allowed to point out that it will be entirely inoperative if you permit the Judge to certify for exceptionally heavy costs on the plea that a novel point of law has been raised. We are *bonâ fide* in supporting this clause, because the Attorney General has pointed out that a novel point of law may be raised by the defendant as well as the plaintiff. We, as representing the tithepayer, say that whether the point of law is raised by the defendant or the plaintiff, we do not wish to see heavy costs saddled on either party. In view of the important discussions which have been raised on the matter of costs, I trust the Government will see that there is no reason why our proposal should not be accepted. I have never been able to make out why this power of certifying for heavy costs should be given under any Act at all. This discussion will be useful if it only brings out the fact, which I think is admitted, that the County Court costs under the ordinary scale are far heavier than they ought to be. Do not let us, under this new procedure, have a heavier scale of costs applicable to the small sums with which the Court will have to deal under this Bill.

*(6.49.) MR. G. OSBORNE MORGAN: This question was considered in the Committee over which I had the honour of presiding, and the 119th clause of the existing Act was adopted after full discussion. But in this case we must bear in mind the circumstances of the litigants. It would be ruin to many of the Welsh farmers to have to pay £100 costs in a tithe case. The Government will, I think, do well to accept the clause.

(6.50.) MR. LLOYD-GEORGE: The argument used by the Attorney General in opposition to the clause is a complete refutation of the argument he used against the previous clause. I ventured then to instance a case where the farm was divided into so many allotments, and where there would be an opportunity of contesting the distribution of the tithe over the different lots. The learned Attorney General completely ignored that argument. He did not even allude to it in his reply; but now, when it suits his purpose, he uses it as a special argument in opposition to the clause moved by my hon. Friend. I venture to declare that in very few cases of that kind will the question of apportionment resolve itself into a point of law. It will always be a question of fact; so that for every 10 cases that would suit the argument of the Attorney General there will be hundreds of cases that would suit my argument. The Attorney General has confined himself exclusively to points of law; but I would point out that this clause refers to cases not merely in which complicated points of law are raised, but also in which questions of general public importance are involved. In Wales, every case that is tried will raise questions of general public importance. Every payment of tithe in itself is a matter of general public importance; so much so that the Government have framed a schedule of costs, and I submit that unless this clause is adopted that schedule of costs will be altogether futile. I think that, even if the Government refuse to withdraw questions in which legal points are involved from the power and competence of the County Court Judge, they should certainly withdraw cases of more general public importance which do not involve complicated points of law.

*(6.54.) COLONEL HUGHES: I would point out to the Mover of the clause that by his proposal he seeks to prevent extra costs being imposed on the defendant, but not on the plaintiff.

(6.55.) MR. D. RANDELL: I am quite willing to amend the clause so as to include both parties.

(6.55.) MR. A. WILLIAMS: It certainly would seem that if this clause is not accepted the schedule of costs will be useless, and it is difficult to discuss the present proposal without going into the question of the schedule. What we want is to adopt a principle, and to lay down guiding rules under which it would be impossible in a County Court action, or in a claim brought under this Act, under any excuse whatever, to have a large bill of costs on either side. It was with the view of preventing the possibility of that that the Amendment has been framed. Do the Government mean to grapple with this question of costs so as to lay down a minimum of fees? Even if questions of law are raised, care should be taken that they are settled without imposing heavy costs on plaintiff or defendant. Sooner or later the Government will have to give the County Court law to the people free from the possibility of these shameful lawyer's costs, of which we have heard to-night, and if they do not make a beginning in the present instance all their promises are futile.

(7.0.) The House divided:—Ayes 135; Noes 187.—(Div. List, No. 38.)

(7.12.) MR. T. M. HEALY (Longford, N.): I beg to move the following Clause:—

"No person shall be imprisoned for contempt for anything in contravention of the powers conferred by this Act longer than one month."

I hope that it will be possible for the right hon. Gentleman the President of the Board of Trade to accept this Amendment. The right hon. Gentleman must be aware that this question is one which has occupied the attention of Parliament for a considerable period. I propose that you should introduce a change in the law as to the length of the term of imprisonment—a change which has already been sanctioned in principle in another place. The Government are probably familiar with the fact that a Bill passed through the House of Lords dealing with the general question of contempt, in the year 1883. True the punishment in that Bill was limited for all offences of contempt, including ecclesiastical offences, to three months. Of course, there is this difference between that limit and my Amendment—that the latter proposes a limit of only one month. I need not say that I do not stickle very closely for a period of one month. But it has occurred to me that it would be possible for the right hon. Gentleman, and only consistent with the position which the Tory Party, who are of course in the majority in the House of Lords, took up seven years ago, with regard to the power of imprisonment for contempt. This matter is one of considerable importance, not only from the point of view of Welsh Members, but from the point of view of the power of pardon by the Crown, and of the general law. The peculiarity of imprisonment for contempt, as I understand it, is this: that it has been laid down not only by the present Attorney General, but by his predecessor in the case against Belt, that there is no power vested in the Crown to pardon for contempt; and following on the lines thus laid down the Irish Law Officers, in the case of bankruptcy proceedings against Thomas Moroney, gave a similar opinion. Therefore, I think that in this case, above all others, it is desirable to put some limits on, the powers of the Judges with regard to contempt. The royal prerogative of pardon I take it cannot apply to imprisonment for contempt, and, therefore, it is possible that a prisoner might remain in gaol for the entire period of his life. At present, an ordinary bailiff could only proceed for assault, but now you are giving power to imprison for contempt, and the term of imprisonment might be equal to the man's natural life. I do not say that any County Court Judge would take such a course; still, I do think it reasonable and proper that some limit should be fixed. I have endeavoured to discuss the question solely from the legal point of view. I am not going into the general merits or demerits of the Welsh Nonconformists *versus* the Church of England. I have solely argued it from the point of view of the necessity of amending the procedure. I do hope Her Majesty's Government will consider it in a similar spirit. I think when you are introducing a novelty of procedure in the case of Welsh tithe, it is eminently an occasion when you should show the Welsh people that you are doing nothing to inflict upon them an unusual punishment. It is a cruel and an unusual punishment to give the Court power of perpetual imprisonment, and there is no reason in the world why the Government should not limit the power of the County Court Judge. This is not a case in which the Government should be heedlessly vindictive, for it would give the Welsh representatives an opportunity of going to their constituents and saying that you had not proceeded fairly in this matter. The difference between myself and Her Majesty's Government cannot be one of principle, but one of degree. You cannot say, I think, that the County Court Judge should have the power of perpetual imprisonment, and, therefore, if you are wise in this matter you will accept the principle of my Amendment, and so at once put a stop to the discussion.

Clause (Imprisonment for contempt,)—(*Mr. T. M. Healy,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(7.22.) SIR M. HICKS BEACH: I quite agree with the hon. and learned Gentleman that the question between us is merely one of degree, and that no County Court Judge should have the power of inflicting perpetual imprisonment for contempt of Court. The hon. and learned Member's view is that the sentence should not exceed one month; the view of the Government is that it should not exceed seven days. It so happens that by Section 162 of the County Court Amendment Act, 1888, no County Court Judge has any power to inflict sentences for contempt of court except for such offences as are defined in that Act. The term of imprisonment is fixed at seven days. I hope that the hon. Gentleman will see that the law already provides a stronger check on County Court Judges than does his Amendment, which provides that the imprisonment shall be for a term of one month.

(7.25.) MR. LLOYD-GEORGE: Although the County Court Judge may not inflict more than seven days for one offence of contempt, yet he may impose cumulative punishments for separate cases of contempt of Court, and thus be in a position to imprison a man for six weeks for six separate offences.

(7.26.) SIR R. WEBSTER: The only effect of discussing the hon. Member's Amendment would be that the punishment for separate offences would be greater than that for one offence. As a matter of fact each offence must be separate, and there can be only seven days' imprisonment, and not more, for each offence.

(7.27.) MR. ARTHUR WILLIAMS: I would point out that if a person insults the Judge, or misbehaves himself in the County Court, the Judge may make out a warrant committing the man for seven days. Pending the execution of the warrant, the man may commit another contempt. ["No."] Excuse me, I am following a case which actually occurred, and in that case the man, before the warrant was executed, made a strong remonstrance against the County Court Judge for having improperly issued his warrant. That was a separate contempt. It may be that a man might commit under this Bill four or five separate contempts for which separate warrants could be made out. The suggestion of cumulative punishments, therefore, is not so absurd as it appears.

(7.27.) MR. T. M. HEALY: I can quite conceive that the right hon. Gentleman will not accept the clause; but will he so far meet the suggestion of my hon. Friend as to clear up the matter with respect to cumulative punishments?

MR. CONYBEARE (Cornwall, Camborne): Before the Question is put, I would ask the Government if they will consider a limitation of the character of the offence which is to constitute a contempt?

*SIR M. HICKS BEACH: All the offences are defined in the Act.

Question put, and negatived.

(7.28.) MR. T. M. HEALY: I beg to move the following clause:—

"Where any person shall appeal from any sentence of imprisonment inflicted in consequence of resistance to and officer in the execution of this Act, or contravention of the powers conferred by this Act, or any attempt thereat, and shall appeal from such sentence, he shall be liberated on entering into securities for his appearance on the hearing of such appeal."

At present a man is entitled to bail, should the Magistrate grant it. My proposal is that he should be absolutely entitled to bail, pending the appeal. I see no reason why the law in that respect should not be definite. Though the matter is a very small one, I hope the Government will accept my proposal.

*(7.29.) SIR M. HICKS BEACH: I should like to ask you, Sir, whether this comes within the scope of the Bill? The County Court Judge has no power whatever to inflict the sentences referred to in this Amendment, and I gather from the remarks of the hon. Member that his Amendment would merely apply to the Court of Summary Jurisdiction. I wish to ask whether that is within the scope of the Bill?

*MR. SPEAKER: As far as I can understand the clause put forward, it refers to the case of an officer who is a constable, in which case the County Court would have no jurisdiction.

MR. T. M. HEALY: I beg to call your attention to the fact, Mr. Speaker, that Amendments have been passed dealing with the question of appeals, and what I am dealing with now is the question of appeals from the Magistrates and I cannot see why bail should not be allowed pending those appeals.

*MR. SPEAKER: If an assault is committed, and the defendant is brought before a Magistrate, then in that case this clause would apply. It would not apply to the County Court; it would apply to a Court of Summary Jurisdiction other than the County Court.

Clause (Appeals,) — (*Mr. T. M. Healy,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(7.30.) SIR R. WEBSTER: I do not think the hon. Member for Longford has made out any case at all for this clause. I can assure him that, as far as I know, the practice would be unprecedented to keep a man in prison pending an appeal. The universal practice is when an appeal is pending to give bail. I cannot think it wold be wise to take away the Magistrate's discretion in an extreme case. The County Court Judge has no power or discretion in the matter. Then as a matter of general policy, and knowing it is the invariable practice to allow personal bail pending appeal, I think it would be unwise to sanction any alteration of the general law. I certainly am not prepared to accept the proposal of the hon. and learned Gentleman without a much stronger case being shown.

MR. LLOYD-GEORGE: I would point out that, as is the case at the present moment, there may be a question as to whether the sureties offered by the accused are worth the amount of bail demanded, and the argument applicable to an ordinary case would be equally applicable in a prosecution under this Bill. It is in the power of the Magistrates, where bail is refused, to keep the accused in custody for three months; and, consequently, it is most necessary that the accused should be able to obtain liberation on his own security. I do not see what hardship this would entail on any one. It could inflict none on the officer of the Court; the only failure of justice might be in case the accused absconded and left the country, which, from the point of view of hon. Gentlemen opposite, would seem to be the best thing that could happen, as it would tend to decrease the number of future agitators, and would lessen the resistance offered to the Bill. I cannot see why the Government should not accept the Amendment.

*MR. S. T. EVANS: I think the case on behalf of this proposal is stronger than the Attorney General seems to imagine. The constant answer offered from the Treasury Bench to the arguments used on this side in support of the Amendments we propose is that we are trying to alter the general law. Our reply is that it is the Government who are altering the general law, because they are pressing into the service of the tithe owners the officers of the County Court, and giving a jurisdiction to the Magistrates which they have not at present. It is not at all in consonance with our wishes to be attacking those who are engaged in the judicial business of the Principality; we do not want to reiterate time after time that the Welsh Justices belong to the landlord and the Tory class, and are not in sympathy with the people of the Principality; but we ask the Government what possible hardship can there be in liberating an accused person pending his appeal, especially as a man is supposed to be innocent until he has been proved guilty?

*(7.37.) SIR M. HICKS BEACH: The hon. Gentleman opposite has been under some misapprehension in thinking that we are proposing by this Bill to make any alteration in the ordinary law on the particular matter to which this clause refers. No doubt by the word "officer" he refers to the officer of the Court, but the same action would be taken by the Magistrate if the assault had been on a bailiff or any other person; and whatever rights there may be of liberation pending appeal, on tendering securities they are in no degree affected by the change which this Bill makes in the law with regard to the County Court.

MR. ARTHUR WILLIAMS: The experience of my hon. and learned Friend the Member for Longford (Mr. Healy) in Ireland is very different from anything we know of in England, where we manage these things in a different way from what takes place in the Sister Country; but this does not make it a bit the less necessary that we should make the law in this case just. It is perfectly monstrous that a person accused of resisting an officer of the Court should, pending the hearing of his appeal, be kept in custody if the Magistrates refuse to liberate him on bail; and I hope the Government will accept this most reasonable proposal.

(7.40.) MR. CONYBEARE: I am not at all influenced by the Attorney General's argument that it is inexpedient to alter the general law in a matter like this. It seems to me that the general law is always in want of amendment. But here we have had an important admission from the Attorney General, who says that what is asked by this Amendment is always done, not as a matter of right, but as a matter of discretion by the Magistrates. I understood my hon. Friend (Mr. A. Williams) to say it was a matter of right for the accused to have bail.

MR. ARTHUR WILLIAMS: A matter of moral right.

MR. CONYBEARE: Well, we have it on the authority of the Government that what is now asked is the usual procedure; but the prisoner has no right to demand it, it being purely discretionary. I know something of Magistrates, and all I can say on this point is that from one end of the country to the other the less discretion you allow the Magistrates the better it will be for the people. If the Attorney General is right, there can be no strong reason for not embodying in the Statute what he admitted to be the general practice. I hold that in accepting this Amendment the Government will be strengthening the hands of the Magistrates, by requiring that they shall do what we are told they always do now as a matter of discretion. Say what you will, there is bound to be a considerable amount of political feeling and bias in these cases; and if imprisonment may result from action taken in a moment of excitement, it seems to me all the more obligatory upon us to take every precaution to ensure that the danger of biased or prejudiced procedure on the part of the Magistrates should be minimised to the utmost. I say that, in the interests alike of the Church, the Magistrates, and the people, who may be the victims of injustice, it would be well to accept this Amendment, because if you give opportunity for the suggestion that this measure tells unfairly against the tithe-payers, and that they are to be made the objects of political persecution, you will do more than anything else you could do to diminish the prestige, which is very small at present, of the Church in Wales, while at the same time you will be striking a blow at the authority of the Magistrates throughout the Principality. From my own point of view I should not be inclined to admit that anything which threatens to destroy either the position of the Church in Wales, or the authority of the Magistrates there, is not eminently to be desired; but we are not now arguing the matter on those lines. I am certain, however, that the more safeguards against persecution we can introduce the better it will be both for the Church and the Magistrates. The right hon. Gentleman in charge of the Bill says the Government do not propose to alter the law as to the position and authority of the Magistrates; but the fact that the Government have introduced a Bill which does make fundamental and important innovations in the general law entitles us to try and introduce such further alterations of the general law as we may deem necessary.

MR. T. M. HEALY: I do not intend to go to a Division, and shall, therefore, ask leave to withdraw my Amendment.

Motion and Clause, by leave, withdrawn.

(7.45.) MR. T. M. HEALY: I now move the Amendment which stands next in my name, namely—

"Where any person for resistance to the officers in execution of this Act, or contravention of the powers conferred by this Act, or any attempt thereat, shall be ordered to find security for the peace or good behaviour, and shall make default in finding such security, a sentence of imprisonment in consequence of such default shall not exceed one month."

I trust that the Government will in this case show some readiness to amend the Bill, and I think my Amendment is one they might fairly accept. No appeal is possible where a person is sentenced for not giving security for his good behaviour, and, consequently, I think it would be wise on the part of the Government to adopt the limitation of one month, which I suggest. I do not hear the Welsh Members suggest that the County Court Judges in Wales are too strong in the view they take against Nonconformists; but I do feel that there is among the Welsh Members a very natural anxiety to protect their countrymen from the possible hardships that may result from bias and prejudice. They apprehend that in cases where the sales, consequent on tithe recovery procedures, take place attempts may be made to bind persons over to keep the peace and be of good behaviour, and these charges may involve the proposition that they have been guilty of some breach of the peace or evil behaviour. In such cases in Ireland where a man, out of a feeling of self-respect or indignation, refuses to give bail the Magistrates regard that as a confession that he has done wrong, and there is no appeal against his sentence of imprisonment; but in such cases it is only reasonable that there should be a limit to the sentence. In England never more than six months' imprisonment is given; but six months is a very common sentence in Ireland in default of bail, and these punishments are often inflicted where there are no means of punishing persons under the Common Law. Take the case of a man who prints a newspaper article over which the Magistrates would have no control at Petty Sessions. The accused can be asked to give sureties for good behaviour, and if he refuses he may, and has been, sentenced to six months' imprisonment. I can conceive a case in which a Welsh Nonconformist, taking a strong view of the tithe question, comments on a sale for the recovery of tithes in such a way that some busybody Magistrate may say, "I bind you, Jones, or Brown, over to keep the peace. I cannot deal with your newspaper because I have no power, but I can deal with you, and I ask you to give bail for your good conduct in future." This is constantly done in Ireland, and I want an assurance that if it be done in Wales the period of imprisonment shall not be more than one month. Of course, we shall be told that the spirit in Wales is entirely different, and I must confess that the Government have shown a very different spirit in meeting the opposition of the Welsh Members to what they have shown in the case of the Irish Coercion Bills. I hope the right hon. Gentleman in charge of this Bill will now show himself similarly amenable to the influence of argument on behalf of the Welsh people. At the same time, because I am an Irish Member, I do not therefore wish it to be supposed that I am not free to take an interest in what takes place in Wales, especially on this tithes question, on which, if there is one subject more than another wherein the Irish can be closely linked with the Welsh people it is that of the payment of tithes—a question which, fortunately for them, the Irish people have seen disposed of long ago. I respectfully urge the Government to agree to this Amendment. If they will not, I, at any rate, have endeavoured, in proposing it, to amend this Bill on a point upon which I think it stands greatly in need of amendment.

Clause (Limit of imprisonment in case of default of security,)—(*Mr. T. M. Healy,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. T. M. Healy

*(7.55.) MR. WADDY (Lincolnshire, Brigg): I hope Her Majesty's Government may see their way either to the acceptance of this Amendment, or to explain to the House what is the principle on which they resist it. They may, perhaps, object to the form it takes; and in case they approve the principle, but suggest that it should be dealt with by employing another form of words, I do not think any objection would be raised on this side of the House. The principle of the clause is perfectly harmless. It does not deal with cases of assault or grievous bodily harm, but with mere cases of resistance; nor can it be said that this is an attempt to alter the general law. The matter here dealt with is a simple misdemeanour, of a special kind, and one in which no claim to privilege or exemption can be made for any purpose inimical to the general law. One of the difficulties that arises in regard to the matter is this: when securities are given not only does the person giving them enter into his own recognisance, but he offers the sureties of other persons, and there may be many men who are unable to give such securities as the Magistrates may be reasonably prepared to accept. In that case we know what takes place. If sureties are offered the Magistrate at once applies to the police, and asks them to make inquiries as to the sufficiency of the sureties. It is for the police to say whether or not they are satisfied on this point; so that, to a large extent, they have the power of saying whether the securities should be accepted, and the accused person set at liberty. This is a tremendous power, and practically enables the police to refuse almost any security. The existence of this difficulty renders it all the more important that in the case of those who might find difficulty in getting bail, such as would be accepted by the Magistrate, there should be some limit to the term of imprisonment. As the Bill stands, there is no such limit, and I think I may fairly challenge the experience and knowledge of my learned Friend, who now so worthily represents the law on the Treasury Bench (the Solicitor General), to say whether in what is here asked any harm could possibly be done.

(8.1.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I will explain in a very few words why the Government cannot accept the clause now proposed. The hon. and learned Gentleman who has just sat down appeals to the Government, if they cannot accept the clause, to at all events grant some limitation of the period of imprisonment. At present, under the Summary Jurisdiction Act, there is a limit of six months, so that the hon. Member's suggestion as to the despair and sorrow of the man who does not know when his imprisonment will come to an end can have had no foundation since 1879, when the Summary Jurisdiction Act was passed. The hon. and learned Gentleman talks about the difficulty of getting sureties for keeping the peace. I never heard of a case in which any sureties who came forward to enter into recognisances on a question of keeping the peace were refused. Where a man is himself prepared to enter into recognisances to keep the peace almost any sureties that can be produced are very willingly taken. Now, I would ask the hon. Member for Longford whether, under the circumstances——

MR. T. M. HEALY: I was aware of the six months' limit.

SIR E. CLARKE: Oh! I did not suggest that the hon. and learned Gentleman was not aware of it, but I hope he will see fit to take the same course as he did on the last Amendment. Really this is a matter which touches upon the general law with respect to summary jurisdiction laid down by the Act of 1879. There is nothing in the character of this Act which differentiates the charges that may arise out of its operation from the things dealt with under the Summary Jurisdiction Act. For instance, a threat to kill a person is precisely of the same character whether it refers to an objection to pay a tradesman's debt or an objection to pay a sum due in respect of tithe; and it is most undesirable to insert in different Acts of Parliament exemptions from the general law settled and laid down in 1879, when the Act of that year codified the proceedings which referred to summary jurisdiction.

(8.4.) MR. CONYBEARE: I think the appeal, made with great moderation by my hon. and learned Friend (Mr. Waddy), ought to have received some consideration at the hands of the Government; and, as I observe the senior Law Officer of the Crown is present, I think it would be very desirable that he should, if he would be so kind, give us his opinion on the question, because it has not been an unusual occurrence in these Debates, that after the junior Law Officer has stated his views he has been promptly overthrown by the senior Law Officer. It has been pointed out that if this limitation is not introduced the poor men who may be sent to prison under this Bill will, perhaps, be subjected to unduly long terms of imprisonment. My hon. and learned Friend (Mr. Waddy) undoubtedly laid somewhat too great stress on the fact that there would be uncertainty in the man's mind. That uncertainty has been removed by what has fallen from the Solicitor General, who has pointed out that under the Summary Jurisdiction Act the limit will be six months. I put it, however, to the Attorney General, with some confidence, whether in a case like this the six months would not be a monstrously unfair term of imprisonment to subject a man to because he could not find security? Is it an unreasonable supposition that a man in this plight may not be able to find security? The Solicitor General says he never heard of such a thing as any difficulty about finding sureties where a man is willing to enter into recognizances himself to keep the peace. There are some of us, however, who know as much about that as the Solicitor General. There are cases in which all sorts of difficulties are or may be raised for the purpose of obtaining the incarceration of an unfortunate defendant who may be unpopular with the Bench. Many of these defendants will be poor men, who may find it very difficult indeed to provide the security asked for, and what guarantee have we that the Bench will not impose such heavy terms as will render it impossible to obtain sureties? If this clause be rejected it may be necessary for us to move an Amendment limiting the amount of security that may be asked for. I am not anxious to multiply Amendments upon this stage of the Bill, and I think if the Government can see their way, either to limiting the security that can be exacted, or to limiting the term of the imprisonment to be imposed in default of security, they will be doing only that which is just. The Solicitor General has once more brought forward the favourite hobby of the Government, that it would be prejudicial to introduce alterations in the general law by means of a measure of this kind. But you are altering of your own motion the general law of the country; and if we find that, in consequence of that alteration, particular points of the general law will come into conflict with the just liberty of the subject, we have a right to improve the general law if we can do so. If it can be pointed out that the law, as it stands, will operate unfairly against any class, we have a perfect right to try and secure its amendment.

(8.11.) MR. F. S. STEVENSON: I think it a matter for regret that the Government have met this clause with a *non possumus*, instead of agreeing to a reasonable compromise. In poor districts in Wales men may sometimes find it very difficult, either to raise security for themselves, or to get others to act as sureties for them, and the same thing may happen in some parts of England. The people will find it difficult to provide the cash——

SIR R. WEBSTER: What cash?

MR. F. S. STEVENSON: To find the security. The result will be that over a great part of the Principality there will be formed Guarantee Associations, whose object will be to provide security in such cases, and, therefore, you will actually by this measure foment the very kind of agitation which you are desirous of allaying. There are also cases of conscientious objection which would be met by this Amendment. Both the cases of poverty and those of conscientious objection will be left in exactly the same position as they are in now from one point of view; but, while you alter the general law in one respect, you will not consent to a trifling alteration in it from another point of view.

*(8.14.) COLONEL HUGHES: I understand that this appeal is made on behalf of conscientious poor men who resist the officers of the law after judgment has been given. But what business has anybody to resist the officers? Why should we make easy terms for people who improperly resist the judgment of the Court? I am surprised to hear such arguments used by Members of this House. There can be no reason for allowing in these cases any less limit of what it is necessary to enforce than in any other class of cases.

(8.15.) The House divided:—Ayes 83; Noes 113.—(Div. List, No. 39.)

*(8.24.) MR. SPEAKER: The next two clauses, standing on the Paper in the name of the hon. Member for Carnarvon (Mr. Lloyd-George), are out of Order. The first proposes to empower a person who appeals to Quarter Sessions to require a jury upon the trial of such appeal. On Thursday the appeal was negatived, and, more than that, we have to-day negatived the proposed new clause of the hon. Member for the Gower Division of Glamorganshire (Mr. D. Randell), namely, that

> "In any action or matter under this Act it shall be lawful for the plaintiff or defendant to require a jury to be summoned to try the said action or matter."

That being so, the House would be violating two of its decisions if it allowed this new clause to be taken. With regard to the 2nd clause, which provides that no change of venue shall be permitted in a criminal charge, it is a matter of such importance that I am quite clear it could not have been moved in Committee without an Instruction. That Instruction not having been moved, it is out of my power to allow it to come on on Report.

MR. LLOYD-GEORGE: On the point of Order, Sir, may I point out that the proposal of my hon. Friend (Mr. Randell) was only meant to refer to civil cases, and the clause I moved on Thursday last applied to cases where no appeal is at present allowed.

*MR. SPEAKER: It is an attempt to re-open the whole question, and I cannot allow the clause to be put. (8.26.)

*(8.59.) MR. S. T. EVANS: The Amendment I have to propose is the addition of words at the end of line 16, providing that the receipt shall expressly state that the payment is on account of tithe rent-charge. This is the sub-section which provides that the occupier shall pay the sum the landlord has to pay for tithe rent-charge.

(9.0.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.2.) MR. S. T. EVANS: The section of which this sub-section forms part does away with all contracts between occupier and landlord, whereby the occupier is liable to pay the tithe, and in the discussion on certain words which have now been struck out of the clause, it was mentioned that the tithe might be reduced in amount. Supposing the tithe rent-charge which the occupier would have paid last year under his contract with the landlord were £25, and next year the landlord has to pay a reduced tithe rent-charge of, say £20, the occupier will be compelled by this section to repay that sum to the landlord. In order that the occupier may know that he is not called on to pay anything more for tithe rent-charge than the landlord has to pay, I think the Amendment is necessary and reasonable.

Amendment proposed in Clause 1, page 1, line 16, at end, to insert the words—

"And every receipt given for such sum shall state expressly that the sum is paid in respect of that tithe rent-charge."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

(9.3.) SIR R. WEBSTER: I do not quite see what the object of this clause is, but it seems to me that there would be no harm in accepting it. I should be a little more satisfied if I understood the object of it, but as the hon. Member thinks that some object is to be gained I will not oppose it.

Question put, and agreed to.

(9.4.) MR. MORTON (Peterborough): As the right hon. Gentleman has been good enough to intimate that he will accept my Amendment I will not detain the House any longer than to say that it provides that the occupier shall pay the full share of his tithe rent-charge and no more.

Amendment proposed, in Clause 1, page 1, line 16, after the word "rent-charge," to insert the words—

"Provided that where the lands, out of which any tithe rent-charge issues, are occupied by several occupiers who have contracted to pay the tithe rent-charge, any of such occupiers shall be liable only to pay such proportion of the sum paid by the owner of the lands on account of such tithe rent-charge as the rateable value of the lands occupied by him bears to the rateable value of the whole of the lands occupied by such occupiers."—(*Mr. Morton.*)

Question, "That those words be there inserted," put, and agreed to.

(9.5.) MR. SYDNEY GEDGE (Stockport): I hope the Government will assent to the Amendment I am about to propose. It is, I think, exceeding reasonable and only fair. I want to make the clause read as follows:—

"That such sum shall be recovered by the occupier in like manner as rent in arrear."

The position is this: In the case to which alone this clause refers the occupier has covenanted with his landlord that he will pay the tithe rent-charge. At present, if he fails to do so, the landlord may pay it if he likes, and, if he does, he can bring an action against the tenant to recover the amount paid and any damage to which he has been put, and can enforce judgment against the tenant in the ordinary way. Under this Bill you rightly compel the landowner to pay the tithe rent-charge, and then, in cases where the tenant has contracted to pay it, you deprive him of all the remedies he has at present, and reduce him to the one remedy of distress. I submit that the landlord ought not to be deprived of his present remedy against the tenant who has contracted with him to pay.

Amendment proposed, in page 1, lines 17 and 18, to leave out the words "by distress."—(*Mr. Sydney Gedge.*)

Question proposed, "That the words 'by distress' stand part of the Bill."

*(9.8.) SIR M. HICKS BEACH: I hope my hon. Friend will not press the Amendment. We propose to give the landowner the remedy the tithe owner now has, and that the occupier shall occupy relatively the position he now occupies.

Question put, and agreed to.

(9.9.) MR. LLOYD-GEORGE: I beg to move to insert in page 1, line 19, after the word "otherwise," the words—

"Provided always, that in the event of the bankruptcy of the occupier, the said sum shall shall not be deemed to be a preferential payment within the meaning of the Bankruptcy Acts, nor shall a sheriff or officer of the Court in possession of the goods of the said occupier under process be in any way liable to pay such sum."

A similar Amendment was moved in Committee, but it was only between the tithe owner and the owner of the land. In that case it is open to the Government to contend that the tithe rent-charge was the first charge on the land, and that, consequently, it would be unfair to reduce it to the level of an ordinary debt. That argument, however, is inapplicable in the present case. As between the owner of the land and the occupier the tithe is only a contract debt. In the Bill it is provided that the landlord shall pay the tithe notwithstanding any contract to the contrary, but that the occupier shall be liable for the amount to the landlord. It is a contract debt and, being such, I fail to see why it should be regarded as preferential any more than a debt between the occupier and a tradesman. Suppose there is a contract debt for seeds or manure which are used in the cultivation of the land, or suppose there is one for wages. Why should the contract as between the landlord and the tenant be preferential, whilst that between the tenant and the tradesman or labourer is not? That it should be is most unfair for the reason that the landlord as a rule is a man of wealth and can afford to lose a paltry sum of £4 or £5, but to the labourer who works on the farm for the occupier the loss of £4 or £5 would mean the loss of the whole of his wages for two or three months. It would be a great hardship if for the benefit of the landlord, who is wealthy and can afford to lose £4 or £5, the labourer who is tilling the soil and improving it, and whose family depends entirely upon the little he has earned, should be required to lose his wages. I, therefore, press on the Government to accept this Amendment.

Amendment proposed, in page 1, line 19, after the word "otherwise," to insert the words—

"Provided always, that in the event of the bankruptcy of the occupier, the said sum shall not be deemed to be a preferential payment within the meaning of the Bankruptcy Acts, nor shall a sheriff or officer of the Court in possession of the goods of the said occupier under process be in any way liable to pay such sum."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*(9.12.) SIR M. HICKS BEACH: In a case in which the tenant has to pay the tithe rent-charge he pays it as a charge upon the land in preference to everything else that the hon. Member has referred to.

MR. LLOYD-GEORGE: It is not a matter between the tithe owner and the occupier.

*SIR M. HICKS BEACH: When this Bill becomes law such a tenant will not pay the tithe rent-charge. Why will he not? Because Parliament enacts that the landlord should pay it instead. That being so, the landlord having paid the tithe rent-charge Parliament gives the landlord the right to recover the sum from the tenant. It is only fair that this sum should be put in the same position as the tithe rent-charge, seeing that the charge is upon the land, and should be a preferential claim against the tenant.

*(9.13.) MR. S. T. EVANS: The reasons of the right hon. Gentleman the President of the Board of Trade are clear, but I do not think they are conclusive. The preference given to tithe rent-charge is a preference in favour of the tithe owner. By the Act of 1836 it was intended that the landlord should pay the tithe. The landlords, as a class, thought it to their interests to make the tenants contract to pay it, and now, by the force of circumstances, it has been found inconvenient that that system should continue. The law is now going to enact that the landlord shall be bound to pay, and shall not contract out of it. The substituted sum to be paid by the occupier to the landlord then becomes simply a contract debt between them. The preferential character of the tithe is still preserved. The tithe owner gets it from the landlord, and there only remains the contract debt between the landlord and

the tenant; and the question is, ought the contract debt between the landlord and the tenant to be placed, under this Bill, in a more favourable position than any other contract debt? Very often the grocer or the draper is a poor man and can ill afford to do without the debt the occupier owes. The landlord is a rich man. There is no difference in the nature of the debts, and there is no reason why the landlord should have a preference for his contract debt over the draper or the grocer. It may be said that the arguments we are using, in so far as this debt resembles rent, go to sweep away the preferential character of rent. Well, if they do so I am quite prepared for the consequences. I do not think, if we were passing an enactment in the present day, that Parliament would dream of making rent a preferential claim, and requiring other creditors to wait until everything had been swept off by the landlord. I will take the facts as stated by the President of the Board of Trade, but all the reasons he has enumerated go to show that the landlord should not have this preferential claim in this case.

(9.17) MR. CONYBEARE: This proposal is so obviously fair and just that I am surprised the Government should put the House to the trouble of arguing the point. I agree with my hon. Friend that it is time the preferential character of rent should be done away with altogether. The Government have it open to them to say that they cannot, by accepting this Amendment, undertake to alter the general law, but I can only say in reply to that, that if our position is a strong one in reference to the other points we have urged, we should proceed to alter one of the most inequitable and unpopular features of our law, and reduce the preferential character of rent generally. It appears to me that this is a very wide and far-reaching Amendment in the way it bears on the equitable treatment of many other classes besides those directly interested in the question of tithes. It is not a question of the fair treatment of the tithe owner alone or the tithepayer, but here we are endeavouring to introduce a provision which will secure the right of all those other classes who may be brought into contact with the tithepayer as creditors. It seems, therefore, that we have the strongest reason for urging on the Government first that it is highly incompatible with the popular feeling at the present day that anything should be done in any way to extend the preferential rights that landlords have already; and, secondly, because it is most desirable to extend as far as possible whatever protection you can to the other classes of creditors of the tithepayer. For these reasons I will support my hon. Friend if he goes to a Division, and I can only express my regret that the Attorney General, who is usually a reasonable person, does not see his way to shorten debate by accepting the Amendment.

(9.21.) MR. STUART RENDEL: Perhaps one point may have escaped the vigilant observation of the Attorney General as to the obligations the bankrupt occupier must fall under when he owes for seed and labour. The issue is whether the preference which exists in the case of the tithe owner should be extended to the landlord who has entered into a contract with the tenant. I think not, because after all tithe is the result of agricultural operations, and, if there is to be a preferential charge, it ought to be given to labour and to seed, and the other elements without which the produce cannot be obtained. It is contrary to reason that in the case of bankruptcy the landlord should have a preference to the exclusion of claims which are necessarily incurred to give the tithe existence.

*(9.23.) MR. F. S. STEVENSON: Under a Bill which has become law—the Preferential Payment of Wages Bill—I take it that wages would have a preferential claim in the case of bankruptcy; and, if wages have a claim as compared with tithe rent-charge, much more would they have a claim as regards rent which has been substituted for tithe rent-charge. If the Government refuse to accept the Amendment—and I speak subject to correction—the position will be that you will give a preferential character, not to the tithe rent-charge, but to the rent which has taken the place of the tithe rent-charge.

(9.24.) SIR R. WEBSTER: My hon. Friends do not quite appreciate the argument of my right hon. Friend the President of the Board of Trade. The position is this. At present the tithe owner has a preferential claim, the tithe being *primâ facie* payable by the occupier. We are now saying that the owner shall pay notwithstanding any contract with the tenant, and it seems to follow that the owner who is made to pay temporarily during the currency of the contract should at least be in as good a position as the tithe owner, who is admitted to have a preferential right. It is said that the landlord should not have a better claim than the man who supplies the seed or anything else necessary to stock the farm, but I must remind hon. Gentlemen that the tradesman need not give credit unless he wishes, but the tithe owner is obliged to allow the land to be occupied until the tithe becomes due.

(9.27.) The House divided:—Ayes 94; Noes 118.—(Div. List, No. 40.)

(9.35.) MR. LLOYD-GEORGE: I now propose to move the further proviso which I propose to add to the clause. The object of this proposal is to guard against what might occur where there is a contract, such is contemplated by this section, in which the occupier is liable to refund to the owner of the land what he has paid in respect of tithe. I wish it would be distinctly provided, that the landlord shall not be entitled to refuse the payment of the rent because the occupier does not at the same time tender payment of the tithe. It may be that the occupier may think he is not liable to the amount of tithe paid by the owner, or he may have some other objection with the tithe which he conceives to be a valid objection and may, for one or other of these reasons, refuse to pay the tithe. In that case I want to provide against the costs being chargeable against the occupier on the full amount of the rent and tithe taken together, because of his simple refusal to pay the tithe. Let me take a case where the rent is £100 and the tithe £10, the total being £110. Suppose the tenant offers to pay £100 for rental only, the landlord may say, "You contracted to pay the tithe as well as the rent, and I want £110." The tenant may, however, object to pay the £10 for tithe, saying, "I do not think I am liable, or I dispute the correctness of the amount." According to the law as it stands the owner might issue a writ for £110, and the only way in which the occupier could meet the claim would be by paying £100 into Court. Nevertheless he would be liable to the costs on the whole £110, which is not just, because he ought only to be liable upon the £10, which is the real amount in dispute. I hope the Government will see their way to the acceptance of this Amendment which, as far as I am able to see, cannot possibly do any harm.

Amendment proposed, in page 1, line 19, after the word "otherwise" to insert the words—

"Provided always, that the owner shall not in any such case be entitled to refuse to accept payment of any sum tendered to him by the said occupier in respect of rent on the ground that the said occupier does not at the same time tender payment of the sum due, under any contract, in respect of tithe rent-charge."—(*Mr. Lloyd-George*).

Question proposed, "That those words be there inserted."

(9.40.) SIR R. WEBSTER: I have given close attention to what the hon. Member has stated, and in reply to him I would point out that in this Bill we have said that when the landlord or owner has to pay the tithe he shall have no other remedy except by distress. In case he wants £100 rent and £10 tithe he will bring an action to recover the rent, which the occupier will pay into Court, and the landlord could not refuse: he must either take it out of Court, or leave it there, and no landlord would do the latter. I feel assured that if the hon. Gentleman will only look at the matter from a practical point of view he will see that there is no necessity for this Amendment.

*(9.42.) MR. TAYLOR (Norfolk, S.): I now beg leave to move a proviso which I have put on the paper. As the Bill now stands, the owner, without some such provision as this would be left without any sufficient remedy for the recovery of the tithe; the owner will now always have to pay the tithe formerly paid by the occupier and he ought to have some facility for recovering the money, and if some such facility as is here proposed be not given he may not have the power of compelling the outgoing tenant to refund the sum he has paid.

Amendment proposed, in page 1, line 19, after the word "otherwise," to insert the words—

"Provided that, where the tenancy of an occupier who is liable under a contract made before the passing of this Act to pay the tithe rent-charge is at any time hereafter about to determine, the owner of the lands may at any time during the last three months of the tenancy pay any instalment of the tithe rent-charge that such occupier would, but for this Act, have been liable under contract to pay, and may, notwithstanding such instalment not being yet due, recover the same from the occupier in manner as in this Act provided."—(*Mr. Taylor.*)

Question proposed "That those words be there inserted."

(9.46.) MR. CONYBEARE: I do not know whether the Government propose to accept this Amendment.

*MR. SPEAKER: I put the Question and no voice was expressed against it. I am not able to do more.

Question put.

*MR. SPEAKER: The ayes have it.

MR. STOREY (Sunderland): No, certainly not.

(9.50.) The House divided:—Ayes 124; Noes 99.—(Div. List, No. 41.)

(9.51.) MR. STOREY: Sir, I beg to move——

SIR M. HICKS BEACH: I beg to move the Amendment in my name.

MR. STOREY: I beg to move the Adjournment of this Debate, and I do so at the special request and with the full consent of hon. Members from Wales who are mainly interested in this Bill. The circumstances under which I do so are peculiar. An Amendment was moved by an hon. Member on this side of the House, who, however, does not belong to us. That Amendment strikes at the interests of occupying tenants throughout the country, and I think I am fairly entitled to move the Adjournment of the Debate, so that we may have the opportunity of putting on the Paper in legal fashion an Amendment which will remedy the injustice which has been committed. I do not think the House can have grasped the fact that the Amendment is so foolish and unfair that a Government of justice and fairness should never have accepted it. But what happened? Without a word of comment from the Treasury Bench, the Motion was put, and, to our utter astonishment, the Government accepted an Amendment which, I venture to say, the common sense of the House, if it had examined it, would have rejected. We must have time, and, therefore, I must detail to the House what is the evil and injustice. ["Order!"] If I cannot discuss the Amendment, I cannot state the case. What is more unfair than that an outgoing farmer shall be called upon under the terms of the Amendment which has been moved.

Motion made, and Question proposed "That the Debate be now adjourned.'—(*Mr. Storey.*)

*(9.59.) MR. SPEAKER: Order, order! The Motion for the Adjournment, I understand, is founded on the fact that the hon. Gentleman, and those acting with him, did not oppose the Amendment which was accepted by the Government, and it is within the recollection of the House that the Ayes had it, and the Noes expressed no voice. That being so, and when I stated that the Ayes had it, and the Noes expressing no voice, I was precluded from putting the question further in order to clear the House for a Division. The hon. Gentleman was taken by surprise, and, therefore, allowed the Motion to pass without challenge. Under these circumstances, he moved the Adjournment of the Debate, in order to counteract what had been done. The hon. Gentleman is not entitled to re-discuss the Amendment.

(10.0.) MR. STOREY: Of course, we quite recognise what it is the duty of the Speaker to do. It was to our surprise that the Government accepted this Amendment, for we all thought they would have said "No." I will not discuss your ruling, of course. We said "No" when the question was put, but to our surprise the Government said "Yes," for we expected everybody would say "No." I put it to the right hon. Gentleman the President of the Board of Trade if I were a tenant farmer about to leave my tenancy, and two or three months before the end of my tenancy the landlord pays to the clergyman a sum of money which is not and will not be legally due from me——

*MR. SPEAKER: Order, order! The hon. Gentleman is now putting in concrete form the abstract of the Amendment.

Mr. STOREY: I admit, Sir, that I am doing so, and, of course, I will not pursue it. I think I have indicated enough to show hon. Gentlemen opposite who do not take the parson's view of this matter that an injustice has been committed in this matter quite by inadvertence. We had no idea the Government would have accepted an Amendment which makes the tenant liable for something not legally due. I must press my Motion. We were utterly surprised at the Government giving their consent. The First Lord of the Treasury will be the first man to admit that when the Government assent to a change in their Bill it is customary for some one to rise and intimate as much. But not one of us dreamt the right hon. Gentleman in charge of the Bill would accept such an atrocious Amendment, and I put it to his sense of fairness—and we have not been unfair to him during these Debates—now to give the House an opportunity of remedying this evil. If we have time we can devise an Amendment which will counteract this evil, which is against the interests of the tenants. Upon these grounds, and without further troubling the House, I beg to move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Storey.*)

*(10.5.) Mr. G. OSBORNE MORGAN: I am certainly not surprised at the course taken by my hon. Friend. I was quite unprepared for the Government accepting this Amendment, which is a most important one. When the hon. Member rose to move the Amendment, I went out for a moment, and when I came back I heard that the Motion had been accepted without a word of discussion. The Divisionwas really snapped. But I am most sincerely anxious to finish this Bill to-night, and that desire is shared by many of my hon. Friends. I will, therefore, put it to the hon. Member for Sunderland, is it worth while to press this Motion to a Division?

*(10.6.) Sir M. HICKS BEACH: There are three causes of complaint against me. The first is that I accepted an Amendment from the other side of the House.

Mr. STOREY: From your own friend.

*Sir M. HICKS BEACH: That I accepted it without saying anything about it; secondly, that hon. Gentlemen opposite did not see fit to express their own objections to the Amendment; and, thirdly, that the right hon. Gentleman who has just spoken did not happen to be in his place when I accepted it. For myself I can only say that on several occasions I have accepted Amendments from every quarter of the House without saying one single word, not thinking it necessary in the circumstances to add to the length of the debates. As to hon. Members not stating their objections that is no fault of mine, and it is no reason why they should move the Adjournment of the Debate. Of the right hon. Gentleman opposite I will say nothing; he has been a constant attendant, and I am sure he will be more constant in future. I am utterly amazed at the importance which appears to be attached to this particular question. I do not attach any great importance to it either way. It is a common thing for a tenant to agree with a landlord that he will pay the tithe rent-charge during the currency of the tenancy.

*Mr. SPEAKER: Order, order!

*Sir M. HICKS BEACH: I do not wish to infringe the Rules of Order. I will undertake to reconsider the whole matter. I trust the hon. Member will not press his Motion to a Division.

(10.9.) Mr. F. S. STEVENSON: If I might be permitted to make one suggestion—it is that, by omitting a single line in the Amendment, the whole sting will be taken out of it.

Mr. CONYBEARE: Is it a pledge that the Government will re-commit the Bill? Have we a distinct understanding that they will re-consider their position on this Amendment? I want to be clear on those points.

*(10.10.) Sir M. HICKS BEACH: Hon. Members seem to believe that this Amendment goes further than I think it does. We will re-consider the matter, and I shall be happy to communicate the

result to the hon. Member for Glamorganshire.

MR. STOREY: Of course, I am quite willing, under the circumstances, to withdraw the Motion if the right hon. Gentleman will make it clear how he proposes to deal with the matter. At what stage can it be dealt with? We are now in Report, and if that be passed, the only remaining stage is the Third Reading, and upon that an Amendment cannot be moved.

*(10.11.) SIR M. HICKS BEACH: It must be done in another place, I believe. It is impossible for this House to alter the Amendment now.

MR. STOREY: It can be done by re-committing the Bill. I have no respect for what is done in another House.

*SIR M. HICKS BEACH: I will give an undertaking which probably will satisfy the House—namely, that an Amendment on this particular Amendment shall be introduced in another place, so that the House may have an opportunity of re-considering it.

*(10.12.) SIR J. SWINBURNE: I think we should have an assurance from the Government that they will re-commit the Bill so as to enable us to put a new clause in. If we have no such assurance, then I trust that my hon. Friends below the Gangway will go to a Division.

MR. STOREY: I understood the right hon. Gentleman to say he will undertake that such an Amendment is put into the Bill in the other House as will enable this House to re-commit the clause. If so, I admit that that is entirely fair.

*(10.14.) SIR M. HICKS BEACH: The Government will do their best, of course, to do so.

MR. STOREY: Oh, that is not enough.

*SIR M. HICKS BEACH: The Government is not all powerful.

MR. STOREY: As I am very loth to press the matter to a Division, I ask leave to withdraw my Motion.

Motion, by leave, withdrawn.

Original Question put, and negatived.

(10.14.) MR. J. L. MORGAN: I now move to omit Clause 2. The matter has already been thoroughly discussed, and I do not propose to make any observations further than to again utter my protest against the principle which is embodied in it.

Amendment proposed, to leave out Clause 2.—(*Mr. Lloyd Morgan.*)

Question proposed,

"That the words, 'Where any sum due on account of tithe rent-charge issuing out of any lands is in arrear for not less than three months, the person entitled to such sum may, whatever is the amount, apply to the county court of the district in which the lands or any part thereof are situate, and the county court after such service on and hearing of the owner, as may be prescribed, may order that the said sum, or such part thereof as appears to the court to be due,' in page 2, stand part of the Bill."

MR. LLOYD-GEORGE: I rise to support the Amendment of my hon. Friend, and unless the Government can see their way to amend the procedure, I shall have to oppose the whole Bill under the law. As it at present stands, the tithe owner is entitled to come upon the land and distrain without the intervention of the County Court, or any other Court; and as he knows that if he does anything contrary to the law he may be mulct in damages, we have a certain amount of protection, but when the duty is transferred to the County Court we shall no longer have any remedy against the tithe owner for illegal distraint. You are substituting an utterly irresponsible official for a responsible person. Hence it is we think we ought to have the protection of a jury in every case. The Government have strenuously resisted our demand, for that although immediately a Liberal Unionist moves anything it is accepted, I think it is the duty of the Welsh Members to resist this tooth and nail until the Government interpose the protection of a jury.

*(10.21.) MR. G. OSBORNE MORGAN: I should like to say a few words in condemnation of this clause. You have, in fact, made the County Court Judges the collecting agents of the tithe owners. By doing so, you have imposed

the most invidious duties that can be cast upon a Court of Justice, and the effect will be to create litigation where it was not known before. I ask once again, Who is it wants this County Court jurisdiction? No single person does, as far as I can make out. The tithepayers do not, neither do the tithe owners, nor the County Court. And last, but not least, the Welsh Members as a body join in protesting against it. Only one Welsh Member, the representative of the Pembroke Docks, has voted with the Government on this Bill, and even he has disappeared on this occasion. The parsons, too, are by no means unanimous for it.

*(10.23.) MR. S. T. EVANS: The principle originally underlying the Bill was simply to make the landlord liable for tithe instead of the occupier, and we were given to understand at the commencement that the occupier was not to be put in a worse position by the new system than he was in under the old. But the whole aspect of things has changed since the Bill was in Committee. The Government have refused our appeal for the right of trial by jury in all cases, and it has been made evident that the object of the Bill is to serve the interests of the clerical tithe owner. The noble Lord the Member for Darwen dissents, but he was willing to vote for taking away from the lay impropriator of tithe 33⅓ per cent. of his property. We have not made strenuous opposition to the proposal bettering the mode of procedure for the recovery of tithe, because we hope very soon to be put in possession of this public property, but we do protest against the introduction of the County Court if the occupier is thereby to be damnified. On the question of costs, the Government agreed to accept the principle of a schedule, but their Amendment simply deals with fees, and does not touch solicitors' costs. In future, instead of the alliance being between Church and State, it will be between Church and County Court; as I think the Government are making worse the position of Welsh peasant proprietors, I shall join issue with them, and vote for the rejection of the whole clause.

Mr. G. Osborne Morgan

(10.27.) MR. STUART RENDEL: I do not think the House is surprised that the Welsh Members are obstinately resisting this clause, because it is one that gives to the Bill that punitive character which we regard as an injustice to Wales. The Bill, it must be seen, metes out very uneven justice to the Principality. In England undoubtedly there is some necessity for tithe legislation, as there has been a disposition to attack the property of the tithe owner. In England, too, the Bill holds out some prospect of a remission of tithe; it whittles down the tithe, and is the first step to dealing with it—a step which can only be justified on the ground that it is national property. But the Welsh have no interest in the remission which the Bill is going to give. They will gain nothing, while the small yeoman is hit hard by the County Court clause. Is it, then, to be wondered at that we naturally resist this uneven-handed justice? I hope that even at the last moment heed will be paid to the strong objections of the Welsh people, for you are only creating difficulties for the future.

(10.29.) MR. PHILIPPS (Lanark, Mid): I hope that some Member of the Government will answer the arguments of my hon. Friend. It is a serious thing that the Welsh peasants are going to be sent to prison for non-payment of tithe without being tried by a jury. The Government, I hope, will be advised to alter their decision. Their majority on this point was not very magnificent—only 27—and that shows that many of their moderate supporters would not uphold them in this. Let them now promise to reconsider this matter. Liberal Members from Wales may fairly complain that hon. Members from Wales who sit opposite never venture to put in an appearance in these Debates. They hardly venture to put in an appearance in the House. One or two of the Members who represent the interests of the Church in Wales may walk through the Division Lobby, but not one of them will say a word in the House. I really think it would be well that some of the hon.

Members' English friends should induce them to stand up and explain why the Welsh tithepayers should be sent to gaol without the advantage of trial by jury. I imagine the Welsh Conservatives fancy that if they only vote quietly they may escape the notice of their constituents, but if they do they will be sadly mistaken. I trust the Welsh Conservatives on the Government will answer the arguments —the very strong arguments—advanced by the Liberal Members from Wales.

*(10.37.) SIR M. HICKS BEACH: I cannot admit that the argument of the hon. Member who has just sat down can properly be characterised as a strong one. The hon. Member complained that the Welsh Conservative members have not spoken in these Debates. I think it is better that hon. Members should refrain from taking part in these debates as much as possible if they are in favour of the measure. And with regard to those who oppose the measure, I think they also should refrain from taking part in the discussions if they have not studied the Bill. It is evident the hon. Member (Mr. Philipps) has not studied the Bill; indeed it is easy to see he has been spending the evening more pleasantly elsewhere. The hon. Member suggests that tithepayers in Wales are subject to imprisonment without trial by jury, in some extraordinary forms to which tithepayers in England are not liable.

MR. PHILIPPS: I never said so.

*SIR M. HICKS BEACH: The hon. Member is doubtless unaware that a provision has been inserted in the Bill at the instance of the right hon. Gentleman (Mr. G. Osborne Morgan) by which a tithepayer, whether owner or occupier, cannot be subject to imprisonment merely for the non-payment of tithes. This clause which is an important one, merely substitutes the process of the County Court for the present system of recovery by distraint. We think that substitution will be a benefit to the tithe owner and the tithepayer and specially to the occupying class who by that substitution will be free from the present distraint on their goods.

(10.39.) MR. CONYBEARE: The Bill does not preclude the possibility of tithepayers being sent to prison; it only says "by reason of the non-payment of such tithe rent-charge." It has been amply shown in the course of the Debate that tithepayers will be liable to be sent to prison for what we conceive to be the most trivial offences, offences such as those which come under the heading of contempt of Court. My hon. Friend (Mr. Philipps) is perfectly right when he says you are proposing to send men to prison without giving them trial by jury. I think he animadverted with proper severity upon the continued absence of the Welsh Tory Members during these debates. We have a right to ask that we should have the views of the Tory tithe owners placed before us by their accredited representatives in this House. Although I believe there are six Welsh Tory members, five-sixths of them have been continuously absent from our deliberations.

(10.40.) MR. PICTON (Leicester): I am anxious to say a word or two upon this clause as one who is exceedingly desirous of facilitating the collection of tithe and keeping up its value. I do not think this clause is at all calculated to facilitate the collection of tithe. It might have been if some of the Amendments proposed had been accepted. If a jury had been granted in cases under £5, if the appeals had been granted which have been asked for, and if the costs had been regulated as was desired by the proposer of one Amendment, this clause might have worked; but without these Amendments I believe the clause is calculated rather to irritate public opinion in Wales, and in England as well, than otherwise. This clause may be described as the coercion clause of the Bill, a coercion clause specially designed for Wales. I do not think that irritating coercion of this kind is calculated to facilitate the collection of tithe. You can only facilitate the collection of tithe in one way, and that is by conciliating public opinion. I only know of one way of conciliating public opinion in regard to tithe, and that is by applying tithe to very different purposes to the present This clause is only another instance of the absurd superstition, that all you have to do, in regard to enforcing the law, is to bring power, might, violence enough to bear upon the people. We have yet to learn that the only way in which law can be made to work easily and smoothly, is to reform in opposition to public opinion. I contend that the second clause of this Bill violates public opinion, tends to irritate public opinion in Wales; and I believe you will find far more difficulty in collecting tithe in the future than you have hitherto experienced. Therefore, I shall vote most heartily with my hon. Friend for the rejection of this clause.

*(10.43.) SIR J. SWINBURNE: I beg the Government to take the humble advice of a humble individual, and strike Clause 2 out of the Bill. Some of my hon. Friends think it is proper to put this charge on the landowners. Speaking for the Midland Counties, and more especially for the portion of the Midlands I have the honour to represent, where there are a large number of small landed proprietors, I disagree with my hon. Friends. But we are all agreed on this side of the House that the introduction of the County Court as a means of collecting the tithe is most objectionable, and that Clause 2 should be struck out of the Bill. This is really a Coercion Bill for England. It will cause such irritation that after 12 months' experience the Government will deeply regret having passed it.

(10.44.) MR. STOREY: I shall not join my hon. Friend who has just sat down in appealing to the Government to withdraw this clause. I am well aware they cannot. I shall vote against it, and simply set forth the reason why I do so. If any one could with success appeal to the Government, I think the moving appeals that have been made by various Members on more delicate points than this would have gone home. The fact of the matter is the Government are thin-skinned in this matter, and they have made up their minds. I am much more concerned at the present moment to ask where is the promised help from the Front Opposition Bench which we were led to expect in the early hours of this evening. I remember, as in a dream, a right hon. Gentleman of magnificent proportions standing at that Table and declaring that if the Government did not concede a certain Amendment, a strong, strenuous, and determined opposition would be offered to the 2nd clause of the Bill. The Government did not concede the Amendment, probably because they knew that right hon. Gentleman too well, and here we are at the 2nd clause and where are the Members of the Front Opposition Bench? What is the use of fighting the Bill on principle if, when the very clause in which the principle is involved comes on, those who ought to lead the Opposition, either run away or remain silent? The explanation is that earlier in the Debate the Front Benches had not made their bargain; but now it is arranged that if the Bill is passed through its present stage to-night, the right hon. Gentleman the Member for Newcastle can proceed with his Motion on Thursday! I am not concerned about that Motion. The two Front Benches will tilt at each other with blunted spears, while the rest of the House sit and watch the performance, and a sorry performance it will be. What is the use of wasting time at present in talking about Ireland? Ireland is settling her——

*MR. SPEAKER: Order, order! The hon. Gentleman is not speaking to the clause before the House.

MR. STOREY: It is for that reason I want to talk about Wales. I object to this 2nd clause, because I cannot see that it is either necessary or desirable. I admit the Government have displayed good sense in transferring the collection of tithe from the holders of the land to the landlord. From the point of view of the hon. Member for Leicester (Mr. Picton) and all of us who want the tithe to be held and not to be diminished, that is a change for the better; but I cannot see why the landlord in the collection of tithe should have any further remedy than the original tithe owner has;

the landlord has much more influence over the tenant than the tithe owner has. The landlord is brought into daily, hourly, and monetary contact with the tenant, and, therefore, he is much more likely to be able to influence the tenant to pay his tithe property than the tithe owner will be. Though I admit the tithe owner in Wales, and rightly so, has found it extremely difficult to collect his tithe, I do not believe the landowner would have the same difficulty, and, therefore, I want to know why the landowner should be singled out by the House and enabled to go to the County Court for the collection of his tithe? If that had been all I should not have objected to the clause. Why should the tenant not have the right to have trial by jury in the settlement of his case? The Government's objection to that, though, from their point of view, founded in reason, makes the Bill repellent to a man like myself. I am astonished to find a Conservative Government objecting to that ancient Conservative stronghold, a British jury. Why could not this matter have been left to a jury? Again, I must say I think the Government most unreasonable in not providing for some limitation of expenses other than the mere opinion, or judgment, or temper of the County Court Judge. I have heard a great many gentlemen from Wales glorify the County Court Judges, but I noticed that most of the gentlemen who did so were of the legal profession. Personally the members of the legal profession are very agreeable, but I am not fond of them as a body. It may suit lawyers and barristers in this House to glorify even to deify the County Court Judges as perfections of earthly wisdom and justice, but my knowledge of County Court Judges leads me to the conclusion that to them no more than to any other men would I leave the fixing of a high scale of costs in matters of politics in which their own prejudices enter. This will be a political question, and there is no doubt that the County Court Judges in Wales, perfect though they may be in many respects, are not in sympathy with the people who are to be tried in their Courts—their sympathy is with the landowner and the parson, not with the tenant and the yeoman. It is, I think, most unfair that the Government should have juggled with the House. When the right hon. Gentleman the President of the Board of Trade was pressed to make a Schedule, he agreed to it. My unsophisticated Friends the Members from Wales, clever and able, but newer to the House than some of us, thought they had gained the whole point; but when the Schedule was produced it was found to be absolutely damnified by another clause in the Bill, which permits the Judge to contract himself out of the Schedule, and to fix a larger scale.

*Sir M. HICKS BEACH: I do not think the hon. Gentlemen would like to use the word juggle without some reason. The facts are these: In response to an appeal from the hon. Member for Mid Glamorgan (Mr. S. T. Evans), I undertook to insert in the Bill a Schedule. That Schedule applies only to fees, and was never intended to apply to costs at all. In proof of that I appeal to the fact that the Schedule the hon. Member for Glamorgan placed on the Paper applied only to fees, and not to costs.

*Mr. S. T. EVANS: My proviso stated that they were to be the "total costs, charges aud expenses to be recovered."

*Sir M. HICKS BEACH: The Schedule itself only dealt with fees.

*Mr. S. T. EVANS: There was not a single word about "fees" either in my Schedule, or in the proviso relating to it.

Mr. STOREY: Of course, I would not use theword "juggling" in the sense of imputing to the right hon. Gentleman that he deliberately juggled with the House. I am sure he would not. But I assert there has been an entire misapprehension between the right hon. Gentleman and my hon. Friends. Hon. Members thought they had by their Schedule distinctly provided against the tenants being saddled with heavy costs; they find now they have not succeeded in doing so. Whatever may have been the intention of the Government, they have entirely failed to meet the objections of my hon. Friends, and, as I think, to meet the demands of justice and fair play.

(11.3.) The House divided:—Ayes 182; Noes 126.—(Div. List, No. 42.)

(11.14.) MR. LLOYD-GEORGE: I now move to insert after the word "due" the following words:—"and not to exceed the rentable value of the said lands." Under this section, as it at present stands, the County Court is to be satisfied that the tithe is due and bears a proper proportion to the value of the land, and then an order is to issue. I propose that the County Court Judge shall be empowered to enter upon another inquiry as to the value of the land. If the tithepayer can prove that the assessed value of the land is in excess of its real rentable value, then the Court shall have power to remit the amount of tithe in excess, and make an order equal to the rentable value. Under the 3rd section the County Courts may, when it is proved by the Income Tax Assessment that the tithe exceeds the value, remit a third of the amount, and my objection to that I will state when we come to it. For the moment I would say that I do not recognise the Commissioners of Income Tax as a competent tribunal for the purpose; there is no evidence given before them on oath, no cross-examination, and no *bonâ fide* inquiry made as to the value of the land. The Attorney General stated the other night that if one of the parties feels aggrieved there may be application for a valuer; but the appointment of the valuer is in the hands of the Commissioners, and they will have no difficulty in getting their own creature to value the land in the way that suits them best. But if the investigation is entrusted to the County Court the Court will arrive at its conclusion after hearing evidence from the tithe owner and the occupier of the soil, and there will be a full inquiry into the value of the land. The inquiry will be conducted in open Court, will be reported in the local papers, and there will be every security by publicity for an impartial inquiry. To secure this impartiality the investigation ought to be entrusted to the County Courts in the first instance. I have a later Amendment in the event of the House rejecting this suggestion, whereby it is provided there shall be an appeal from the Commissioners to the County Court; but this, my present proposal, is for a more simple procedure, going at once to the County Court for the inquiry instead of first to the Commissioners, then to the valuer, and then to the Court. My Amendment merely provides that a remission shall be made where the tithe is in excess of the annual value of the land. The Government propose that one-third shall be taken off; but that means that one-third of the value of the property is to be taken from the nation and put into the pocket of the landlord. That, I submit, is a monstrous proposal, simply confiscation and robbery. Something has been said about driving land out of cultivation; but if the provision is simply limited to cases where the tithe is in excess of the value, and is limited to a reduction to the rentable value, I do not see that there will be a danger of the land being thrown out of cultivation. I object to a third of the national property in tithe being transferred to a perfectly idle class of the community, while at the same time you are depriving a great Ecclesiastical Corporation of the amount with which in some places they may be doing some good, whereas the landlords are doing no good whatever. There is no pretence they are doing anything in return for what they receive; and if tithe is nationalised, as no doubt it soon will be in Wales, our educational endowments will be deprived of a third of what is due to them.

Amendment proposed, in page 2, line 5, after the word "due," to insert the words "and not to exceed the rentable value of the said lands."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

(11.20.) MR. PICTON: I should have thought the Government would have had something to say in reply to the reasonable suggestion made. I think this is the farthest limit to which concession should be carried by sound political economists, by true friends of the nation and supporters of national property. My hon. Friend proposes that the tithe shall not exceed the rentable value, and that seems such a moderate proposal that at first sight I should be inclined to agree with him. When the subject was discussed in 1836 several landowners took part in the Debate who foresaw the time when it would be beneficial to them to surrender these lands to the nation rather than continue to pay tithe, but this proposal does not go so far as that. There is a certain school of political economists, not to be undervalued in their growing influence, who insist that the whole value of the land ought to be made over entirely to the nation. I hasten to say I am not yet convinced by their arguments. I do not entirely agree with them; but so far as this I do go, that whereas in 1836 a bargain was made between those who enjoy the land and the Church as representing the people at large, that bargain is not to be set aside simply because what the owners are required to pay amounts to the rentable value of the land. I think that is reasonable. I hope the Government will yet bethink them of what a serious step they are taking in upsetting the bargain made in 1836. There is an old proverb about the letting out of water, and the truth of it will be proved in this case, unless you can find a reasonable and sound basis, such as I think my hon. Friend has suggested in his proposal that the tithe should not be allowed to exceed the rentable value of the land. It is my confident opinion that this is the utmost limit to which concession should go upon this question of tithe in its relation to the nation.

(11.28.) The House divided :—Ayes 120; Noes 186.—(Div. List, No. 43.)

(11.36.) Amendment proposed, in page 2, line 5, after the word "be," to insert the words "together with the costs."—(*Sir M. Hicks Beach.*)

Question proposed, "That those words be there inserted."

Mr. CONYBEARE: I think it is quite bad enough that these extraordinary powers should be attached to the tithe; but when it comes to adding the costs, and we cannot get any consideration from the Government, I think it is time to protest. I do not know whether the right hon. Gentleman will be disposed to consider a slight amendment of his Amendment. I object to the introduction of costs here altogether; but I do not wish to enter upon the general question of costs, which will be raised later. I would ask the right hon. Gentleman whether he would accept the introduction of the word "taxed" before "costs"—[An hon. Member: "Costs" means "taxed costs"]—well, whether he would not say, "according to the Schedule." I make this suggestion in a spirit of conciliation. I am anxious not to unduly prolong these discussions. Of course, we shall be prepared to show that even in the County Court, as things are at present, the costs which may be charged are out of all proportion to the amount that is claimed against the debtors. In many cases the tithe is of small amount; but it is clear that if the lawyers, for whom, it seems to me, this Bill has been principally framed, are allowed to pile up costs without any restriction, some of these unfortunate farmers will be liable to be absolutely ruined. I, therefore, move to add, after the word "costs," the words "according to the Schedule."

Amendment proposed to the said proposed Amendment, to add the words "according to the Schedule." —(*Mr. Conybeare.*)

Question proposed, "That those words be added to the proposed Amendment."

*(11.41.) Sir M. HICKS BEACH: I would submit to the House that the question as to whether there should be a Schedule of costs would be much more appropriately and conveniently raised on the Amendment of which the hon. Member for Glamorganshire (Mr. S. T. Evans) has given notice as an Amendment to that which I have placed on the Paper. I hope the hon. Member will not press this Amendment. I have moved these words in the interests of Members opposite, because it was suggested to me during the discussions that the costs

might be recoverable by some other process than distraint. We always intended that the costs should be recoverable in the same way as tithe rent-charge, and the only effect of the hon. Member's objection to this Amendment of mine would be that the matter might be left in doubt, and the tithepayer might be saddled with a personal liability for the payment of costs. I do not think Members on that side of the House would wish that. I have moved this Amendment at their request.

*(11.44.) MR. S. T. EVANS: I think these words were proposed by the hon. Member for North Kensington in Committee, and the Government on that occasion thought them unnecessary. The only danger of leaving the word "costs" in would be that it might preclude us from discussing the Schedule, unless it were limited by such a phrase as "costs under this Act."

(11.45.) The House divided:—Ayes 109; Noes 182.—(Div. List, No. 44.)

Words inserted.

Amendment made.

Amendment proposed, in page 2, line 14, after the words "or other powers," to insert the words—

> "Provided that if the officer satisfies the Court that there is no sufficient distress on the lands liable to the payment of the tithe rent-charge, the Court may authorise the owner of the rent-charge to sue out a writ of habere facias possessionem, in accordance with Section 82 of the Tithe Act, 1836." —(*Sir M. Hicks Beach.*)

Question proposed, "That those words be there inserted."

(11.57.) MR. STOREY: Will the hon. and learned Gentleman tell us what this horrible thing means?

(11.57.) SIR R. WEBSTER: In Committee a point was raised whether the words in the Bill would not authorise the officer of the Court not merely to distrain for tithe rent-charge, but also to enter on the farm and farm it if there were no distress under the provisions of the Tithe Act of 1836. It was not our intention that the tither owner should retain that remedy in the event of there being no distress, but that he should exercise the power he has under the existing law. It was on the suggestion of the right hon. Gentleman the Member for Derby (Sir W. Harcourt), that we put down the Amendment to make the point of law clear.

*(11.58.) MR. S. T. EVANS: These words have appeared on the Paper for the first time on Report, and they raise an important point as to the working of the Bill. They enable the tithe owner to become the possessor of the land.

*SIR M. HICKS BEACH: They give him no greater power than he possesses at present.

*MR. S. T. EVANS: If that is so, what on earth is the use of inserting these words? I venture to say there are certain safeguards in the Act of 1836, that are not in this proviso. The officer here is to satisfy the Court that there is not sufficient distress on the land. The officer may not be able to reach the goods on the land, and it does not seem clear that anyone will be able to contend with the officer in this matter. The Act of 1836 gave 40 days before any proceedings could be taken at all.

It being midnight, the Debate stood adjourned.

Debate to be resumed to-morrow.

MOTION.

LABOURERS' COTTAGE GARDENS BILL.

On Motion of Sir Edward Birkbeck, Bill to confer Powers on Rural Sanitary Authorities with respect to providing Gardens for Labourers' Cottages, ordered to be brought in by Sir Edward Birkbeck, Mr. Jesse Collings, Colonel Eyre, Mr. Hobhouse, Sir Charles Hall, Mr. Francis Maclean, Mr. Bond, Viscount Ebrington, and Mr. Fellowes.

Bill presented, and read first time. [Bill 195.]

House adjourned at five minutes after Twelve o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Tuesday, 10th February, 1891.

COMMISSION.

The following Bill received the Royal Assent:—

> Tramways Order in Council (Ireland) (Athenry and Tuam Railway).

BETTING BY INFANTS BILL [H.L.].

A Bill to render penal the inciting infants to betting and wagering — Was presented by the Lord Herschell; read 1ª; and to be printed. (No. 34.)

EAST INDIA OFFICERS BILL [H.L.].

A Bill to amend the law relating to certain officers in India — Was presented by the Viscount Cross; read 1ª; to be printed; and to be read 2ª on Monday next. (No. 35.)

STANDING ORDERS RELATING TO STANDING COMMITTEES.

Report from the Select Committee considered (according to order).

The LORD PRIVY SEAL (Earl Cadogan): I rise to ask your Lordships to agree to the alterations in the Orders relating to Standing Committees which were recommended by the Committee appointed by the House for the purpose of investigating these Standing Orders. It may, perhaps, be convenient to the House that I should very briefly state the objects of the proposed alterations. They are intended to meet the objections which were raised during the last two Sessions to the composition of these Committees and to the circumstances under which they were appointed. The chief objections, as your Lordships will remember, were directed to the fact that by the existence of those Committees a large number of the Members of your Lordships' House were liable to be excluded from the consideration of Bills, and that exclusion was characterised by a noble Lord, whom I see behind me, Lord Brabourne, as disfranchisement. I am not prepared to say there were not some grounds for the complaint which was made; and I can quite understand that noble Lords should have objected to the fact that some of the Bills which have come before your Lordships were not considered in Committee of the whole House. There was another objection which was also raised by the noble Lord behind me, and that was to the limitation in the numbers of noble Lords appointed to serve upon those Committees. Your Lordships will remember that under the Standing Orders as they had previously existed the number was limited, and power was given to add 10 noble Lords to any Committee appointed to consider any particular Bill; and upon one occasion the noble Lord behind me, being naturally desirous of acting upon the Committee with reference to a Bill in which he took great interest, applied to be added to the Committee, of which he was not then a Member, but he was informed that the full number of 10 Peers had already been appointed, and that it was therefore impossible for him to be put on the Committee. I think that is a most substantial grievance, and I may explain that a large number of these Amendments are directed to the exclusion of all limitations as to the number of the Peers to be appointed on Committees. Then we also recommend your Lordships to remove a limitation as to the number of Committees that can be appointed. Under the old Rules, as they were worded, it was impossible to appoint only one Committee, and we were not to appoint more than four. That has been struck out, and it will be for the House to appoint through its Committee of Selection any number of Committees it pleases from one upwards. Then, my Lords, what I think will probably be considered the most important of all the proposed changes is that under the proposed Rule 45, which provides that all Bills shall pass through Committee of the Whole House. I need hardly remind the House that that formed the gist of a large number of complaints, and I think it will be considered that the change recommended by the Select Committee in that respect is satisfactory, and that the House will be disposed to agree that under the proposed Rule the amendment is entirely free from objection. Perhaps I may be allowed to read that Rule, in order to show exactly what the procedure will be:—

> XLV. As early as convenient in each Session of Parliament one or more Standing Committees shall be appointed, to which, or one of which,

> every Bill shall be committed after passing through Committee of the Whole House, unless, on motion made when the Bill is reported by the Chairman of Committees, the House otherwise order; and the Bill shall be reported from the said Standing Committee, and shall be considered in the House on such Report."

There is another line in the Rule which I propose to ask your Lordships not to adopt when the Question is put by the noble and learned Lord on the Woolsack. I think I have intimated sufficiently the objects which the Committee had in view in framing these recommendations. They will certainly, I think, satisfy some noble Lords, in that all Bills will now pass through Committee of the Whole House. They will, I believe, conduce to more elasticity in the management and arrangement of the Committees, and I trust that your Lordships, having had a week to consider them, will agree to the new Orders and alterations which I now beg to move. There is one further purely verbal alteration in a later Order, and if the noble and learned Lord on the Woolsack puts these Orders *seriatim*, I would ask leave to make any verbal Amendments as we proceed.

*Lord DENMAN: My Lords, I am extremely glad that attention has been directed to the Standing Committees, and I am pleased to hear that one of the Orders is for Bills to be committed, in the first place, to the Whole House, so that it will be a separate Motion to refer any Bill to a Standing Committee. I could only gather from the speech of the noble Lord the Lord Privy Seal that the proceedings of your Lordships' House have been much advantaged by the Grand Committees. The House does not know what is going on before them, and it is all so hurriedly done that when the Bills are re-committed to the House it is found that there has not been anything gained. I would ask the noble Lord whether on Tuesdays the House is to meet at half-past 5, in order to give the Standing Committees time to proceed with their work, in view of the regulation which prevents their sitting while the House is sitting? There is no one who is more solicitous for the honour and dignity of the House than the humble individual who is now addressing your Lordships, and I trust you will pardon any shortcomings on my part.

Earl Cadogan

Earl CADOGAN: I am sorry to interrupt the noble Lord, but he has made use of one expression to which I wish particularly to call the attention of the House lest there should be any mistake. He speaks of the re-committal of Bills to the Whole House. I hope noble Lords will understand that all Bills will pass through Committee of the Whole House before they go to the Standing Committee.

Standing Orders Nos. XLV. to LII. considered and amended; and a new Standing Order agreed to: Then Standing Order No. XXXIX. considered and amended: The Standing Orders as amended to be printed. (No. 36.)

LICHFIELD CATHEDRAL BILL [H.L.]

(No. 6.)

House in Committee (according to order); Bill reported without amendment: Standing Committee negatived; and Bill to be read 3ª on Thursday next.

WOMEN'S SUFFRAGE BILL [H.L.]

A Bill for extending the right of voting at parliamentary, municipal, and county council elections in the United Kingdom to duly qualified women—Was presented by the Lord Denman; read 1ª; to be printed; and to be read 2ª on Tuesday next. (No. 37.)

House adjourned at a quarter before
Five o'clock, to Thursday next,
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 10th February, 1891.

PRIVATE BUSINESS.

LEICESTER EXTENSION BILL.

Order read, for resuming Adjourned Debate on Question [9th February]—

> "That it be an Instruction to the Committee that the Committee do provide that those parishes or portions of parishes which under the Extension Bill are included in the borough but exempted from the payment of School Board rates, shall also be exempted from voting for Members of the School Board so long as their exemption from these rates continues, and that the Leicester School Board shall remain

free from responsibility as to the school attendance in those areas."—(*Mr. James Ellis.*)

Question again proposed.

Debate resumed.

*(3.15.) MR. JAMES ELLIS (Leicestershire, Bosworth): In moving this Instruction, I wish to explain that Clause 70 of the Bill provides that the parish of Knighton and portions of other parishes in the immediate neighbourhood of the borough of Leicester shall be specially exempted from the payment of School Board rates until the Education Act in pursuance of the Elementary Education Act of 1870 shall provide that further school accommodation is necessary in such parishes, and shall declare that such accommodation, not having been provided by the parishes themselves, has been provided by the Leicester School Board at the request of the Education Department. I am sorry to appear in any way to oppose the Corporation of Leicester. I admit that the Bill which is now before the House is one which is much needed, and one of which I heartily approve, except in regard to this simple provision. I believe that the time has come when it is absolutely necessary that the old boundaries of the borough should be extended, and I think that the present proposal to take in the parishes enumerated in the Bill is as wise as any that can be proposed. But I am also of opinion that when they are taken in they ought to be taken in once for all and on the same terms. In this matter I simply represent the educational body of Leicester—the Leicester School Board. I do not profess to criticise the Bill as a whole, but simply to take exception to that part of it which affects the School Board. The parish of Knighton, in fact, represents the richest part of the town of Leicester, and it happens to be outside the boundary of the borough. But the wealth of Knighton is derived from Leicester. In olden times a tradesman lived close to his warehouse, and a shopkeeper close to his shop. It is, however, the custom in modern times for tradesmen and manufacturers to live outside the town. That fact does not lessen their interest in the town, or relieve them from the obligation to contribute towards its rates. My contention is that they ought no longer to be allowed to evade the rates. They receive immense benefit from the borough of Leicester; they get their gas at a very cheap rate, and water is brought to them which they could not possibly bring for themselves. But, although they derive enormous advantages from their connection with the borough, they desire to escape the obligations which ought to fall upon them. I must say I am surprised that they should be unwilling, while they take part in the administration of the affairs of the borough, to avoid paying what is due from them. The Leicester School Board consists of 15 persons. It was elected two years ago without a contest, and it fairly represents the whole of the inhabitants, not only in a religious but a political point of view. It comprises a clergyman of an antient parish, several Churchmen, a Roman Catholic, a Baptist, and other Dissenters, and I myself represent the Society of Friends. So far as politics are concerned, we represent everybody in this House except our Irish friends below the Gangway, and upon this question we are absolutely unanimous. There is not a single dissentient from the opinion that the onus now laid on the part of the borough we represent is unjust. The question does not rest with Knighton alone. Knighton is provided already with a school equal to the education of its present inhabitants, and perhaps some 200 more. No one knows for a fact whether that is so or not, because there is no efficient management of the children with a view of bringing them into the school, for the Rural Authority takes little or no interest in the matter. But the difficulty does not stop there, because there are other parishes adjoining, such as the Abbey Lands, where Cardinal Wolsey died, and others which are unprovided for. At present the children have no schools to go to, except those within the borough. I maintain that it is unjust to the ratepayers of the borough that they should be required to provide education to the children of these parishes at a cost per head of 12s. 6d. Unless something is now done to remedy this evil and anomaly, I venture to prophesy that for the next 20 years the question will not be one of this or that education, but of teaching the children out of the borough rates. I have no wish to labour the question, but I think

we have a very strong case. In Germany, houses, warehouses, schools, and everything are mapped out and placed in their proper places; but in this country, unfortunately, the system is to allow every individual to do pretty much as he likes. My contention is, that if we pass this Bill as it stands we shall introduce a new element of confusion and disorder. I therefore ask this House, not only in the interests of the people of Leicester, but of all other towns to assent to this Instruction, or something equivalent to it.

*(3.27.) MR. TAPLING (Leicestershire, Harborough): The hon. Member opposite has given a history of this case from his own point of view, but I hope to put a different complexion upon it. I think it is an error to say that there is any unwillingness, as far as Knighton is concerned, to come into the borough of Leicester. The hon. Member has alluded to other districts, but they are of very little importance, and Knighton alone is really aimed at in this Instruction. The Corporation of Leicester have been anxious to enlarge the boundaries of the borough, but they have been met with very great opposition. They have now come to a definite arrangement with the principal inhabitants of Knighton. The circumstances of Knighton are somewhat peculiar. There is a very good school there, towards which large sums of money have been subscribed through the liberality of the inhabitants. As yet there has never been a school rate in Knighton, and when the inhabitants were asked to be included in the Leicester rate they made the reasonable request, that if they are to continue to carry on their school at their own expense they should not be saddled with the school rate of Leicester. The Corporation have assented to that principle, and are willing to carry out an arrangement to that effect. But, after all, this is not a permanent arrangement, because in future it will become, in all probability, the duty of the School Board to supply additional accommodation in Knighton, in which case the ordinary School Board rate will be imposed on the ratepayers of that place. The agreement between the Corporation and the inhabitants of Knighton is embodied in the 70th section of the present Bill. And I may add, that the Manchester and Stockton-on-Tees Improvement Bills contain similar provisions. If this Instruction is carried it will involve the Corporation of Leicester in a breach of faith towards the inhabitants of Knighton. And on that ground I ask the House to reject it. The latter part of the Instruction asks that the Leicester School Board shall remain free from responsibility as to the school attendance in the new areas. If the Bill is assented to by the House it will have the effect of providing that the Attendance Committee of the Union, which includes Knighton, shall in future have no jurisdiction at all in Knighton as regards the School Board. There would thus be absolutely no educational control whatever in Knighton. I venture to think that my right hon. Friend the Vice President of the Council will not be prepared to tolerate such a state of things for a single moment, seeing that it would inflict a serious injury upon the cause of education in Knighton and upon the Voluntary Schools there, which up to now have been eminently successful. The expense of an attendance officer from Leicester to look after the attendance at Knighton would be very small indeed, and is not likely to be for an indefinite period, as I have no doubt that the parish before long will be included within the borough for education purposes. The proposal of the hon. Member, if adopted, will have the effect of abolishing all control over the attendance of the children at Knighton, and will practically take them out of the operation of the Education Act. I am not authorised to say so, but I do not think my constituents would feel inclined to hold out about the question of votes. That, however, is a matter which may be considered in Committee. and the Bill amended accordingly. I ask the House to leave the discretion in the matter to the Committee upstairs, instead of imposing this mandate upon them. I am afraid that if the Instruction is carried it will seriously jeopardise the passing of the Bill, and I therefore trust that the hon. Member will withdraw it.

*MR. JAMES ELLIS: If the hon. Member will give an assurance that the inhabitants of Knighton will forego the voting power I am ready to withdraw the Instruction.

*MR. TAPLING: I am not authorised to give that assurance on their behalf.

(3.35.) SIR W. FOSTER (Derby, Ilkeston): The Corporation of Leicester are at present engaged in the difficult task of making arrangements with the outlying parishes in order to increase the area of the borough. I know how difficult such an operation is, especially in regard to a great and important borough like Leicester. At the first sight I was inclined to support the Corporation in the arrangement they propose to make, but I feel that it is introducing a new principle, which is altogether unconstitutional. Hitherto I have always been taught that taxation without representation is a kind of tyranny, but here we are going to have representation without any taxation whatever. I think it would be a mistake to introduce into the Bill the principle of giving to a certain number of the inhabitants the power of electing members to the School Board without requiring them to contribute to the School Board rates. I think the suggestion thrown out by the hon. Member for the Harborough Division (Mr. Tapling) is a wise one, and I trust that it will be adopted.

(3.40.) MR. COURTNEY (Cornwall, Bodmin): I think it is a pity that this discussion should be continued, because it can scarcely be seriously maintained that the parish of Knighton, while not contributing to the school rate for Leicester, should yet possess the power of voting at the School Board elections. I believe that any Committee upstairs would view such a proposal with distrust and dissatisfaction, and I therefore hope that some agreement will be come to. I listened to the remarks of the hon. Member for the Harborough Division in opposition to the Instruction, and I think he exercised great discretion in intimating the practicability of bringing the parish of Knighton within the borough of Leicester, with the proviso that so long as it was not called upon to contribute to the school rates it should not possess a voting power in the election of the members of the School Board.

ROYAL ASSENT.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

MR. SPEAKER reported the Royal Assent to—

1. Tramways Order in Council (Ireland) (Athenry and Tuam Extension to Claremorris Railway) Confirmation Act, 1891.

LEICESTER EXTENSION BILL.

Debate resumed.

*MR. TAPLING: I have only a word to say, with the permission of the House. I wish to repeat my own strong opinion that my constituents at Knighton would give way on the question of voting, if the hon. Member opposite will give way as to school attendance. That would be a compromise. I will do my best to get it agreed to.

*MR. JAMES ELLIS: I am very glad to assent to that proposal, and I beg to withdraw the Instruction.

Motion, by leave, withdrawn.

GREAT NORTHERN RAILWAY COMPANY (RATES AND CHARGES) PROVISIONAL ORDER.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to confirm a Provisional Order made by the Board of Trade under 'The Railway and Canal Traffic Act, 1888,' containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Northern Railway Company, and certain other Railway Companies connected therewith."—(*Sir M. Hicks Beach.*)

(3.58.) MR. P. STANHOPE (Wednesbury): Before the Question is put I should like to obtain, if possible, an undertaking from the President of the Board of Trade that he will give the House an opportunity of discussing the general principle contained in this and the other Bills about to be brought forward. I admit, of course, that the general terms of these Bills have already been more or less defined by the Railway Act passed two years ago; but there are other proposals made by the Board of Trade which, in my opinion, ought to be fully discussed by the House before the Bills are sent to a Select Committee. I will therefore ask if the right hon. Gentleman will undertake that the Committee shall be large one, and representative of all sections in the House, so that this question may be fully and adequately discussed?

*(4.0.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Some time must necessarily elapse before the Second Reading of the Bills can be moved, and in the interval it will be my duty to ascertain what is the desire of the House in the matter. I should like to point out that it is absolutely impossible for the details of the classification or of rates to be discussed in a Debate in the House of Commons; these matters can only be settled by a strong Joint Committee of both Houses, to which I hope these Bills will be referred without any unnecessary delay.

Question put, and agreed to.

OFFICERS TRAINING ROYAL NAVY AND ROYAL MARINE ARTILLERY.

Return ordered—

"Showing training and pay and pensions of the Executive Officers up to and including the rank of Lieutenant Royal Navy, and up to and including the rank of Captain Royal Marine Artillery, and furnishing similar information respecting Executive Warrant Officers Royal Navy."—(*Sir John Colomb.*)

SOUTH KENSINGTON MUSEUM BUILDINGS.

Copy ordered—

"Of the Conditions under which the competition has been invited for the building about to be erected to complete the South Kensington Museum."—(*Mr. Bartley.*)

BUILDING SOCIETIES.

Return ordered—

"Of an Abstract of the Accounts furnished by Building Societies incorporated to the 31st day of December, 1890, including Great Britain and Ireland, under the Building Societies Acts, in pursuance of the Act 37 and 38, Vic. c. 42, s. 40, in the annexed form:—

Mr. P. Stanhope

							Liabilities.				Assets.	
Register Number.	Year when Incorporated.	Name of Society, and Chief Office or Place of Meeting.	Year of the Society's Existence.	Date to which Accounts are made up.	Number of Members (where stated).	Total Receipts during the last Financial Year.	To the Holders of Shares.	To Depositors and other Creditors.	Balance of Unappropriated Profit.	Balance Deficit (if any).	Balance due on Mortgage Securities (not including prospective Interest).	Amount Invested in other Securities, and Cash.
						£	£	£	£	£	£	£

(in continuation of Parliamentary Paper, No. 273, of Session 1889)."—(*Sir Robert Fowler.*)

QUESTIONS.

THE INDIAN HOSPITAL CORPS.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the Under Secretary of State for India whether it is the case that the men of the Indian Hospital Corps and bearer companies in war time receive less rations than the Sepoy; are allowed only 10 lbs. weight of kit against 33 lbs. allowed to the Sepoy; are entirely unarmed when in the field; and are rewarded only by a bronze medal, while the Sepoy receives a silver one; and whether anything can be done to remedy these conditions?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The statements contained in the question are substantially correct. The arrangements referred to are made by the Military Authorities in India, and the Secretary of State sees no ground for interfering with them.

MAGAZINE RIFLES FOR INDIA.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Secretary of State for War whether the War Office asked the Indian Government £5 10s. apiece for magazine rifles to be supplied to it, or at what price these rifles are now being offered to the Indian Government; and whether he will lay upon the Table of the House the Correspondence which has passed between the War Office and the Government of India on this subject; and whether, before it is "decided what royalty or other payment shall be made in connection" with Mr. Speed's patents affecting the new magazine rifle, an opportunity will be given to this House of expressing its opinion on any such proposed decision?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The Government of India will take two-fifths of their supply from contractors, and the remaining two-fifths from Government Factories at a higher price, thus sharing with the Government the higher price, which is the rule in regard to contract-made weapons. My answer to the second question of the right hon. Gentlemen is, that by the Patents Act, 46 and 47 Victoria, Cap. 57, Sec. 27, the responsibility rests with the Treasury of approving the payments which may be awarded for royalties.

MR. MARJORIBANKS: Can the right hon. Gentleman tell me whether the Government did ask £5 10s. each for the rifles supplied by them to India?

*MR. E. STANHOPE: Certainly, Sir; I told the right hon. Gentleman about it the other day. £4 15s. was the cost of preparing them (without the bayonet) at the ordnance factories, and £4 at the works of the contractor. Three-fifths came from the ordnance factories and two-fifths from the contractors.

GOLD COINAGE BILL.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Chancellor of the Exchequer when he intends to introduce the Gold Coinage Bill?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): After mature consideration, I have come to the conclusion not to press forward this measure till I see my way clearly as to whether it may not be convenient and expedient to link the restoration of the gold coinage with some further proposals relating to currency.

THE MANCHESTER SHIP CANAL.

MR. PHILIP STANHOPE: I beg to ask the President of the Board of Trade whether his attention has been called to the recent application of the Manchester Ship Canal Company to the Corporation of Manchester for financial assistance, and to the fact that the Manchester Ship Canal Acts contain provisions for the vesting of the undertaking, under certain circumstances, in a public Trust; and if, in view of this application, he will afford facilities for the discussion of the Canal Development Bill, now before Parliament for the fourth succeeding Session, or will allow it to be referred to a Select Committee, in order that the whole question of the development of canals under responsible Public Authorities may be adequately considered?

*SIR M. HICKS BEACH: Yes, Sir; I am aware of the application of the Manchester Ship Canal Company to the Corporation of Manchester, and of the provisions of the Manchester Ship Canal Act. I do not quite see the connection between the first part of the hon. Member's question and the second, and at present I do not propose to ask the House to consider the whole question of the development of canals.

LAUNCH OF NEW WARSHIPS.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether arrangements can be made for the accommodation of such Members of the House as may desire to attend the interesting ceremony at Portsmouth Dockyard on the 26th instant, when Her Majesty the Queen is expected to be present to name the two new powerful ships *Royal Sovereign* and *Duke of Connaught*, about to be added to the British Navy, now in course of construction at that dockyard; and whether Members can be accompanied by their wives or daughters?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Believing that certain Members of the House would desire to witness this ceremony I have had 500 places reserved for their accommodation. The Secretary of the Speaker has been good enough to undertake their distribution under the same conditions as tickets were issued for the late Reviews.

ADMIRAL FIELD: About the ladies?

*LORD G. HAMILTON: I propose that every Member shall have power to take with him either a wife or a daughter.

BANK OF ENGLAND NOTES.

MR. SINCLAIR (Falkirk, &c.): I beg to ask the Chancellor of the Exchequer whether, under the present law regulating the issue of bank notes, the Bank of England is bound to pay five sovereigns (or other equivalent gold coin) for each £5 note of their issue, and similarly for notes of a larger denomination, or whether the Bank can legally tender for such notes 40s. in silver and the balance only in standard gold coin?

MR. GOSCHEN: No, Sir; the Bank of England cannot tender 40s. in silver in part payment for a £5 note. They are bound to pay the whole amount in standard gold coin.

METROPOLITAN STREET ACCIDENTS.

MR. COGHILL (Newcastle-under-Lyme): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the statement in the Annual Report of the Commissioner of Police of the Metropolis, for 1889, that during that twelve months no fewer than 5,330 persons were run over by vehicles in the streets of the Metropolis and maimed and injured, and that 140 persons were run over and killed; and whether he contemplates taking any steps, by legislation or otherwise, to ensure a better and safer regulation of street traffic?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; the figures are correctly quoted, and they are extremely serious. The matter is receiving the careful attention of the Commissioner of Police, who already employs a large number of police in regulating the traffic and protecting foot passengers. Should he find that the powers of the police are insufficient to cope with the difficulties of an ever-increasing traffic, he has promised to lay before me suggestions for securing better and safer regulations.

LIVERPOOL POSTMEN.

MR. CROSS (Liverpool, West Derby): I beg to ask the Postmaster General whether he has received Petitions from the postmen at Liverpool, praying, amongst other things, for the removal of the limit in the number of stripes, for a limitation of the total number of hours over which their daily duties are spread to twelve, for modifications in the uniform supplied, for improvements with regard to their pay and overtime allowances, and for the reckoning of all Sunday work as overtime; and whether he is now prepared to give an answer to the petitioners?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): My hon. Friend is perhaps aware that Petitions such as those to which he alludes in his question are by no means confined to the postmen at Liverpool, but have been received from several other large towns. Such being the case I thought it best to refer them to a Committee which has had under consideration the position of provincial postmen generally throughout the country. The Report of this Committee I hope to receive very shortly; but I may mention that in anticipation of it, endeavours are already being made to reduce as far as possible the period over which the daily attendance of postmen is spread, whenever a revision of the outdoor duties at any office takes place.

THE BARNSLEY MAGISTRATES.

MR. JACOB BRIGHT (Manchester, S.W): I beg to ask the Secretary of State for the Home Department if he has seen the following paragraph in the *Barnsley Chronicle* of Saturday, 31st January :—

> "Why not the man as well?—Ann Meadows, widow, Barnsley, was charged with having accosted people for an improper purpose in Pontefract Road, Friday night last. P.C. Harris proved the case. Defendant had only come out of Wakefield Gaol on that day (Friday). In the course of the proceedings, Mr. Carrington (the magistrates' clerk) made a private communication to the Bench. A sotto voce conversation ensued, in which Superintendent Kane also joined. Defendant was sent back to prison as a rogue and vagabond, for three months."

If it is in accordance with the approved practice in our Courts of Justice that words should be used to influence those who are sitting in judgment which cannot be heard by the accused person; and will he consider whether a more lenient sentence would not be a more just sentence in this case?

MR. MATTHEWS: I am informed by the Clerk to the Justices that the only communication made by him during the case was in reply to a question asked by one of the Justices, having reference to the man who was in the company of the defendant, and that nothing said by him, or by the Superintendent, had the slightest bearing on the case against the prisoner. Nothing, therefore, seems to have occurred contrary to the rules which should govern the practice of the Court. The woman was a bad character, having been convicted no less than six times for similar offences since July, 1889, and it was in respect of these convictions, coupled with proof of gross public indecency, that the Justices passed the sentence, with which I am not able to advise any interference.

LONDON TRAMWAY MEN.

MR. WALTER M'LAREN (Cheshire, Crewe): I beg to ask the President of the Board of Trade whether his attention has been called to the desire of the London Tramway Men's Union that their excessive hours of work should be reduced, and that they should form the subject of a Government inquiry; and whether he would include in the duty of the Committee on the Hours of Labour of Railway Servants an inquiry also into the hours of labour of tramway men, or whether he would move for another Committee on that subject?

*SIR M. HICKS BEACH: No, Sir; I have not had any communication on the subject referred to by the hon. Member. I do not propose to ask the House to inquire into the hours of labour of tramway men. The conditions of their employment, and the incidents of their work, differ very largely from those of the *employés* on railways.

TELEGRAMS.

VISCOUNT CURZON (Bucks, Wycombe): I beg to ask the Postmaster General whether there is any general order under which telegrams, not fully addressed, are not delivered when the officials have no reasonable doubt for whom they are intended; and whether the system of delivery of telegrams can be made the same as that of letters, in which case the delivery is made to the most likely person?

*MR. RAIKES: In reply to my noble Friend I must, I fear, say that it is impracticable to make the system of delivering telegrams identical with that for delivering letters. The object of the Telegraphic Service is instant action, and it would not be possible, without serious injury to other persons making use of it, to detach messengers on voyages of discovery, which would necessarily very seriously retard the delivery of other telegrams. I hope that as a general practice the postmasters endeavour to meet the convenience of the public when they have no reasonable doubt respecting the addressee of a telegram. But I must own that I have observed with regret, in some particular cases which have been brought to my notice, a reluctance to interpret liberally the regulations of the Department, which I have never failed to visit with appropriate censure.

CHAPEL ROYAL, WHITEHALL.

MR. JAMES (Gateshead): I beg to ask the Secretary to the Treasury to what balance the saving effected by the closing of the Chapel Royal, Whitehall, is carried, whether of the Civil List or of the Estimates.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The expenditure on the Chapel Royal, Whitehall, was defrayed from the Civil List. Reductions of expenditure from the Civil List accrue to the Civil List.

ARDCHATTAN AND MUCKAIRN SCHOOL BOARD.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether School Boards have any power by law to examine the school register or roll of attendance of private schools within their jurisdiction; whether he is aware that in filling up the Schedule 33 (a) for the year ending 31st May, 1890, and giving the attendance at the Episcopal school, the School Board of Ardchattan and Muckairn filled in 40 as the number on the roll upon information funished to them by the Episcopal school authorities, and whether to this Return was appended a memorandum by the School Board to the effect that several children were entered on the register both of the Ardchattan public school and the Episcopal school; whether in the Return for the year ending May, 1887, the number on the roll of the Episcopal school was returned, in a similar manner, at 68; whether the accuracy of these Returns is now disputed by the School Board, and whether he will lay upon the Table of the House a copy of the register of the Episcopal school, giving the names, addresses, ages, and daily attendances of the children from the opening of the school in 1886 till date; what was the average attendance at the Episcopal school for the school year completed prior to December last; what were the numbers alleged to be on the roll and the average attendance when an application was made but refused in 1886, and what were the numbers alleged to be on the roll and in attendance when the application was granted in December last; what were the special circumstances, if any, which induced the Department to grant in 1890 an application which they had rejected in 1886; and whether the resignation of the School Board has now taken effect, and what steps the Department intend taking with the view of carrying on the educational work of the parish?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Under Section 30 of the Education Act of 1872, a School Board is entitled, but only in so far as is necessary to enable them to discharge their duties under the Act, to access to the school register of any school. Before any such right of access could be exercised, it would be incumbent on the School Board to specify, and, if need be, establish the existence of the duty in respect of which they asked access to the register. I am not aware upon what information the School Board filled up the Return in 1890, the contents of which they certified to the best of their knowledge and belief. A memorandum to the effect stated by the hon. Member as to entry of certain children on the registers of both schools was added to the Return, but it is obvious this had the same bearing upon the attendance at the public school, as upon that at the Episcopal school. In the Return of May, 1887, 68 children were entered as on the registers of the Episcopal school, but a note appended to that Return reduced the number to 31 children of school age. No such note was appended to the form of 1890. I am not aware that the Board has ever disputed the accuracy of its own Returns, although the statements it now makes with regard to the attendance at the Episcopal school are at variance with them. The Department is not in possession of the information which the hon. Member desires me to lay upon the Table, and it is not such as could properly be made the subject of a Parliamentary Paper. As the Episcopal school has not been on the annual grant list for a year, the amount of its yearly average attendance cannot be given. The numbers alleged to be on the roll of that school in 1886 was 26, but the statement in respect of attendance and the probable continuance of the school did not appear to my Lords to be so proved as to establish a claim that the school should be placed on the annual grant list. As I have already stated, my Lords were of opinion that sufficient proof of the existence of a body of children for whom the school was required, and of the probable continuance of the school, had in 1890 been given to entitle the school to be placed on the annual Grant List in 1890. My Lords have been informed that the resignation of the members of the School Board has taken effect, and they propose to issue an order for a new election.

THE CARDIFF STRIKE.

SIR E. J. REED (Cardiff): I wish to put a question to the Home Secretary, of which I have not been able to give notice. I desire to know whether the right hon. Gentleman is aware that soldiers are being employed at the Cardiff Docks, thereby causing extreme irritation and apprehended breaches of the peace? Can the right hon. Gentleman state whether this extraordinary measure has been resorted to, and, if so, by whose authority?

MR. MATTHEWS: I have no knowledge on the subject of the hon. Member's question, except what I have seen in the papers.

SIR E. J. REED: I will put a question to-morrow.

RAILWAY EXTENSION AT KINSALE.

MR. MORROGH: I beg to ask the Attorney General for Ireland whether he has received a Resolution passed by the Town Commissioners of Kinsale, asking the attention of the Government to the recommendation of the Fisheries Commission in reference to the extension of the existing line of railway to deep water, and asking that facilities will be afforded to the Cork and Bandon Railway in carrying out the said recommendation, with a view to afford employment so as to cope with the serious distress caused by the almost total failure of the potato crop in the district; and whether it is the intention of the Government to comply with this request?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): A resolution of the nature mentioned was received in November last. The Government have no funds at their disposal for the proposed railway extension. As the result of recent inquiries it is not apprehended that any serious distress will arise in the district referred to, or any cases of such a nature as cannot readily be dealt with under the powers of the ordinary Poor Law.

IRISH DISTRESS.

MR. MORROGH: I beg to ask the Attorney General for Ireland if he has received copies of a Resolution adopted at a public meeting in Timoleague, County Cork, on Sunday, 1st instant, and signed by Rev. Father Mulcahy, P.P., Rev. E. Donovan, rector, by local Justices, and the local dispensary authorities, calling attention to the great distress prevailing amongst labourers and small farmers in the townlands of Abbeymahon, Cregane, and Timoleague, and pointing out several useful and reproductive works on which employment could be given, so as to relieve those poor people from destitution; and, what steps do the Government propose to take as regards this district?

MR. MADDEN: The Resolution referred to has been received, and the matter referred to is undergoing consideration.

MR. DALTON (Donegal, W.): I beg to ask the Attorney General for Ireland whether the Government propose to start any relief works in the parish of Lower Templemore, County Donegal, as it is admittedly one of the most congested and distressed districts in that county; whether information has reached the Government that people on several occasions assembled at the Police Barracks in the east of the parish clamouring for work to tide them over the distress so acutely felt; and if he can explain why the engineer who was sent in December last to open up relief works in the district was recalled in a few days?

*MR. MADDEN: The matter is receiving the careful consideration of the Government.

MR. MAC NEILL (Donegal, S.): Having regard to the fact that large sums have been contributed by this House for the relief of distress in Ireland, that large sums have also been voluntarily subscribed, and that hundreds of families in Donegal are in a state of absolute destitution, may I ask when the relief will be begun?

*MR. MADDEN: The relief has begun, and works are actively in progress.

IRISH PAWNBROKERS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Attorney General for Ireland if it is his intention, this Session, to introduce a Bill to regulate the trade of pawnbrokers in Ireland, with a view of shortening the hours of labour in pawnbroking establishments?

*MR. MADDEN: Yes, Sir; a Bill dealing with the Law of Pawnbroking is in course of preparation under my directions. I am not able to say how far, if at all, it will be possible to deal with the special matter referred to in the question. I shall be glad to consider suggestions from any hon. Members who may take an interest in the subject.

MR. SEXTON (Belfast, W.): Does the right hon. Gentleman propose to assimilate the law in Ireland to that which now exists in England?

*MR. MADDEN: The Bill is a measure to consolidate and amend the law in Ireland which at present is in an unsatisfactory state, and, so far as is practicable, to assimilate it to the English law.

THE M'KINLEY TARIFF BILL.

MR. DE LISLE (Leicester, Mid): I beg to ask the Chancellor of the Exchequer whether it is true, as reported in the *Times* of the 9th instant, that the M'Kinley Tariff Bill has ruined the sewed muslin trade of Ballyshannon, County Donegal; and, if so, whether Her Majesty's Government will introduce a Bill to raise such sums upon American imports as may be required to start fresh industries in the poverty-stricken districts of Ireland?

MR. GOSCHEN: I have no knowledge of the subject treated in the first part of the hon. Member's question. As regards the second part, I cannot say that I have any intention to start a policy of retaliation against the United States in consequence of the M'Kinley Tariff Bill, especially as it is to be hoped that the Americans will see that they have made a great mistake in passing it.

MR. DE LISLE: Have any representations been made to the Government of the United States pointing out all the evils which the tariff has created?

MR. GOSCHEN: That is not a matter which comes within my power.

UNTRIED PRISONERS AT LIMERICK.

MR. O'KEEFFE (Limerick): I beg to ask the Attorney General for Ireland if his attention has been directed to complaints raised by the Magistrates and Corporation of the City of Limerick to the practice of marching handcuffed, untried prisoners, principally charged with trivial offences, through the public streets of Limerick from the county gaol to the Court houses, a distance of nearly two miles; and if, in view of such complaints, he will direct that a covered vehicle be in future employed for such purpose, as in other cities?

*MR. MADDEN: The matter referred to in the hon. Member's question is not one in which the Government can undertake to interfere.

MOTIONS.

SITTING OF THE HOUSE (ASH WEDNESDAY).

(4.26.) Motion made, and Question proposed, "That this House do meet to-morrow at two of the clock.—(*Mr. William Henry Smith.*)

(4.27.) MR. HENEAGE (Grimsby): I for one feel bound to protest against this Motion. I do not know whether it is moved in the interest of the officers of the House or of hon. Members. So far as the officials are concerned they can attend service and yet be here at 12 o'clock; and it is quite certain that so far as the occupants of the Treasury Bench are concerned they would not be here at 12 o'clock in any case. There is an important subject to be debated to-morrow, and although I should be prepared to take a Division upon it at once, as there is nothing new to be said upon it, I am afraid that all the time available will be required.

(4.28.) MR. PICTON (Leicester): This annual Motion is simply an ancient and hollow formality. I think there ought to be a Return of the number of Members of the House of Commons who go to church on Ash Wednesday. If it is found that a majority or any considerable number do attend, there might, perhaps, be some reason for the Motion. But everyone knows without any Return at all that the contrary is the fact. No doubt there may be a few here and there who go to church, and I not only respect their ideas on the subject, but I honour them. The vast majority, however, do not go, and I, for one, feel bound to protest against the Motion as a sham.

(4.29.) The House divided:—Ayes 226; Noes 135.—(Div. List, No. 45.)

BUSINESS OF THE HOUSE—TITHE RENT-CHARGE RECOVERY BILL.

*(4.40.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster), in rising to move—

> "That the proceedings on the Tithe Rent-Charge Recovery Bill have precedence of the Notices of Motion and the other Orders of the Day on every day on which it may be appointed,"

said: I think it only respectful to the House to take the opportunity of explaining the course which the Government propose to adopt with regard to Public Business. The position is such that they are compelled most reluctantly to take the time of private Members this day, but they hope that it will not be necessary to take advantage of the Motion on subsequent days. I think it will be admitted that the Government have done everything in their power to render unnecessary the course which they now find themselves compelled to take, and I hope, therefore, that the Resolution will not be met with prolonged criticism on the other side of the House. I have been—the Government have been—from the first most anxious to meet the challenge of the right hon. Member for Newcastle, and to supply an opportunity for the discussion which the right hon. Gentleman desires to raise on the conduct of the Executive in Ireland. But hitherto the Government have been prevented, by the slow progress of the Tithe Bill, from giving the right hon. Gentleman the opportunity which I am sure the right hon. Gentleman desires, and which we also desire. In the circumstances, we have no alternative but to ask the House to agree to this Motion, upon the understanding that if the consideration of the Tithe Bill as amended is completed this evening it will be put down for Third Reading on Thursday, and Wednesday's business will not be interfered with. I take it almost for granted that the measure will be read a third time on Thursday, and, therefore, that the Government would not find it necessary to avail themselves further of the powers conferred by the Motion. But the House will understand, having regard to the prolonged consideration which has been bestowed upon the Tithe Bill up to the present, that it will be unwise in the Government to ask for any less powers than they now seek. If the Bill is read a third time on Thursday, we shall place Monday next at the disposal of the right hon. Member for Newcastle for the Vote of Censure of which he has given notice.

Motion made, and Question proposed,

"That the proceedings on the Tithe Rent-Charge Recovery Bill have precedence of the Notices of Motion and the other Orders of the Day and every day on which it may be appointed."—(*Mr. William Henry Smith.*)

(4.44.) Sir W. HARCOURT (Derby): I am bound to say it seems to me that this Motion is not warranted by the circumstances at the present period of the Session and in the present condition of Public Business. The Government have no ground whatever to complain of the progress of their business or of the discussions upon the Tithe Bill and the other measures which they have submitted to the House. The time has not arrived for breaking in upon the ordinary Rules of the House in this violent manner. The right hon. Gentleman says that if the Tithe Bill is read a third time on Thursday he will not make any further use of the Motion; but, according to my recollection of the conduct of former leaders of the House, it is not usual to ask for powers a great deal in excess of those that will probably be wanted. If the Bill is read a third time by the 12th of February, and in that I myself see no difficulty, the Government, I think will have no reason to complain. I must vote against the proposal, because, under the circumstances, I think it is unnecessary.

Mr. JAMES LOWTHER (Kent, Thanet): I am, unfortunately, not a disinterested party in this Debate, because I have on the Paper for to-night a Motion dealing with a subject of great importance and interest to the country. Without entering into the merits or demerits of that Motion, I think hon. Members on both sides of the House will admit that it is of national importance and urgency, and, therefore, I should not feel justified in acquiescing in the action of the Government, having regard to the extreme importance of the subject of my Motion, were it not that I feel that when the Government bases its claim on the ground that the exigencies of the Public Service require that progress shall be made with particular measures before a given date, unofficial Members are bound, so far as they can, to facilitate the course of business. Unofficial Members of the House of Commons in times past have been, and justly so, very jealous of their rights and privileges, but they have invariably allowed cases of emergency like these to be dealt with. I understood from the remarks of the right hon. Gentleman the Member for Mid Lothian, the other night, that it was submitted that the requirements of the law made it necessary that the Government should proceed with financial measures at a given date, and under such circumstances, I think that unofficial Members would scarcely be justified in insisting upon their extreme rights. But in acquiescing in the Government proposal, I am bound to point out that if demands of this kind are to be made at the beginning of the Session, it will be extremely difficult for private Members to discharge their duties to their constituents. It so happens, however, that the question which I intended to raise to-night also figures on the Notice Paper for this day week in the name of my hon. Friend the Member for Sheffield, and I trust we shall have the assurance of the Government that there will then be no interference with the fair consideration of that question, the importance and urgency of which are admitted by all. On the understanding that we are not to be asked to give up our rights and privileges except in a case of emergency like this, I, for one, shall be prepared to accept the Motion.

(4.50.) MR. BRYCE (Aberdeen, S.): Like the right hon. Gentleman who has just spoken I am interested in this matter, and I am so interested in two ways. In the first place my Motion stands in front of his, and in the next place he will have an opportunity this day week of obtaining a discussion upon the subject in which he is interested. But I know from long experience how little facility is given to a Member whose one ewe lamb is taken away. I may mention that this is the ninth year in which I have, without intermission, endeavoured to obtain a discussion on the subject of my Motion in this House. It is a subject which excites very great interest, and I think the Government have done wrong in endeavouring to stifle the discussion upon it. The right hon. Gentleman has talked about the Public Service, but he gave no reason whatever to prove that there was urgency in the matter of this Tithe Bill. Last year we met on the 11th February. This is the 10th February, and I submit that there is no precedent whatever for taking private Members' privileges away so early in the Session. This is a new departure which I hope will excite considerable displeasure in the House. I shall merely express my belief that the Government would do well to propose a Standing Order putting it in their power to take the time of the House whenever they please, for it has now become almost a farce to suppose that this House sits here for any other purpose except to deal with the questions which it may please the Government to have discussed.

*(4.52.) SIR JOSEPH PEASE (Durham, Barnard Castle): I want to ask the House what is going to become of private Members' nights if proposals such as that made by the Government are constantly to be brought forward. During Session after Session, at any rate during the last two Sessions, a great majority of the nights which properly belonged to private Members have been taken by the Government. As to the present Motion, the House has now only just reached the date at which Parliament generally meets. There has already been held an Autumn Session in order that the Government might be enabled to make good progress with its own Bills, and as the result of this, two important measures, so called, have been advanced from stage to stage with great rapidity. Yet already, on the 10th February, private Members are asked to give up their nights in order that the Government may be enabled to proceed still more rapidly with one of these measures—the Tithe Bill. The Tithe Bill is not a measure which has created any great public interest. People who have to pay the tithes do not seem to care for the Bill at all, and those who receive them would, as far as can be made out, be quite as well off without the Bill as they will be with it. In short, the Tithe Bill is emphatically not one of those measures to whose immediate progress the rights of private Members ought to be sacrificed at so early a period of the Session. If the hon. Member for the Isle of Thanet Division of Kent, who, though an interested party, has announced his intention of supporting the Government on the Motion, carries out that intention, he will be foregoing his privileges as a private Member in a most unnecessary and unwarrantable manner. For my own part I shall divide against the Motion, in the firm conviction that the course proposed by the Government can have no support from any Members who has the welfare of the country at heart. If private Members' rights are taken away on the 10th of February where will

they be later on, in the middle of the Session?

*(4.55.) MR. S. T. EVANS (Glamorgan, Mid): As one who has taken an active part in the discussion on the Tithes Bill I should like to say a word or two upon this Motion. I have not observed that anything has been said to show what is the urgency of this particular question. I am informed that the only justification for a Motion of this kind at any time is urgency. We have been reminded that this is only the 10th of February. We are sitting before Parliament is ordinarily called together, and before this Motion is carried I think we ought to hear from the Government Benches what is the urgency of the question. The Tithe Bill is an important Bill, which ought not to be rushed through its various stages. It is a Bill dealing with a very large amount of property—property of the value of £4,000,000 a year, and I certainly do not think that a discussion extending over seven nights is too prolonged for a Bill of this kind. I can only conceive two arguments which might be used to show the urgency. One is that the passing of such a Bill as this might be necessary in the interests of "law and order." Hon. Members who urge that know very little of the Principality of Wales, except what appears in the newspapers. I can assure them there has been no real disturbance in the Principality. Interested persons have called for the assistance of the military, but let me give the House one instance to show that it was utterly unnecessary to call out the military in certain cases in which they had been called out.

*MR. SPEAKER: Order, order! That is quite beside the question before us.

*MR. S. T. EVANS: Then if law and order do not constitute the urgency of this matter, the only other point is that the parsons in the Principality should have their pay. I do not think the right hon. Gentleman the President of the Board of Trade will say that we Welsh Members have unduly prolonged the discussion; and therefore I ask, why should Members be put to inconvenience and lose their rights in order to enable the Government to push forward this measure?

(4.57.) MR. PICTON (Leicester): The right hon. Gentleman the Member for the Thanet Division of Kent spoke of the duties of unofficial Members. I think there may be a difference of opinion as to what those duties are, and undoubtedly they generally differ according to whether their leaders are in or out of office. As to the official Members, it is their bounden duty to lay before the House grave reasons for taking such steps as are embodied in this Motion. It has been often assumed by the Government that unless this or that measure is passed by a certain time awful consequences will happen. But in the past such consequences have not resulted, and I think it is time that the Government learned a little better as to the nature of their responsibilities towards the country. I earnestly hope that this side of the House will show some spirit in the matter, and make a determined protest against this most unjustifiable and tyrannical invasion of the rights of private Members.

(4.59.) MR. J. ROWLANDS (Finsbury, E.): I have listened in vain for arguments as to why the time of private Members should thus be monopolised by the Government. If the right hon. Gentleman the leader of the House succeeds in getting his comprehensive Resolution passed, not only will the rights of private Members be lost for this evening, but to-morrow also may be gone, and my hon. Friend the Member for Poplar, who has the first place for an important Resolution on Friday evening next, may lose the opportunity of bringing that forward. It means that the whole of those hon. Members who have taken the trouble to ballot at the beginning of the Session, in order to obtain a favourable place for the Bills which they have in charge, are, because the right hon. Gentleman chooses to think that certain progress should be made with Public Business, to lose those chances. I hope that hon. Members will vigorously protest against this action of the Government. The right hon. Gentleman is introducing these gagging Resolutions earlier and earlier each succeeding Session. I think it ought to be borne in mind that last Friday night the right hon. Gentleman had an opportunity of pushing forward the Tithe Bill, and he failed to avail himself of it. It was well known that the Motion which stood first on the Paper for that evening would not occupy the whole of the evening, and he might very well have proceeded with his Tithe Bill after 8 o'clock. But on the plea of the fatigue from which he and his colleagues were suffering as the result of their labours during the week they facilitated a count out on purpose that they might go home. Why, under such circumstances, should private Members be robbed of the facilities which are given to them under the ordinary Rules of this House? I think it behoves us to strenuously protest against this action of the First Lord of the Treasury, and I, for one, shall go into the Lobby against him.

*(5.2.) DR. FARQUHARSON (Aberdeenshire, W.): It is very true that "there's many a slip twixt the cup and the lip," and that saying is exemplified by the fact that after nine years of long weary waiting my hon. Friend the Member for South Aberdeen had at last got the opportunity so long desired of bringing forward a question in which Scotch Members are so much interested, and he is suddenly deprived of it by this proposal of the leader of the House. Is the right hon. Gentleman prepared to give my hon. Friend any facilities for bringing on this Motion at a later stage of the Session? I am sure my constituents would be very dissatisfied with me if I did not take the opportunity of making a protest against the proposal to prevent the discussion of a matter in which they take a great interest. I have had many communications from public meetings in Scotland asking me to back up my hon. Friend in this matter, and I am certain that the decision of the Government will cause extreme disappointment to many of the Scotch electors. The zeal of the leader of the House for this Tithe Bill is of a somewhat suspicious character. It does not strike me that there is any overwhelming necessity for pushing forward the Tithe Bill. At any rate, no proof of that has been shown to-night. I think that probably the object of the Government is to burke and shirk the discussion of the question involved in my hon. Friend's Motion. I have no doubt that such a discussion would be extremely inconvenient to many hon. Gentlemen who sit opposite,

(5.4.) DR. CLARK (Caithness): I do not think that the right hon. Gentleman the leader of the House will facilitate the progress of Public Business by the course he has taken. We find, year by year, more and more time is taken up by Supply. We also find that more and more private Members' nights are taken away by the Government, with the result that, as hon. Members are deprived of legitimate opportunities of raising questions in which they are interested on those nights, they seek the opportunity in Committee of Supply, and thereby prolong the discussion of the Estimates. I think that if the right hon. Gentleman would only utilise the time of the House in a better fashion he would help on Public Business. I must say that, outside the crofter question, the subject of access to mountains is one which has caused more disturbance in Scotland than all other Scotch questions put together; and therefore it is a great pity that the opportunity my hon. Friend, after so many years' waiting, has secured for bringing it on, is now to be taken away from him. I venture to say that the interest in that question, and also in the question involved in the Motion of the right hon. Member for Thanet, is greater than that embodied in the Tithe Bill. Of course, we expected a conspiracy of silence from the Government. We knew they would not attempt to answer our arguments. But, indeed, we ought to have from the First Lord of the Treasury some reason for, at this early stage of the Session, taking away private Members' nights. One effect of this Motion will be to induce private Members to conspire together to see how best they can circumvent the Government. The right hon. Gentleman the leader of the House said the Government had done everything within their power to facilitate the progress of business; but how was it they allowed the House to be counted out last Friday evening? Knowing something of the Members who were to have spoken on the Motions down for that evening, I assert that the Government might have reached the Tithe Bill by 8 o'clock, and would then have had four hours to deal with it. But for some reason it suited the Government Whips to allow a count out, and thus four hours were deliberately thrown away. If you take away the time of private Members we shall have to retaliate, and take away a good deal of your time in discussing questions which we desire to have debated.

*(5.8.) Mr. F. S. STEVENSON (Suffolk, Eye): I must enter my protest against the implication of the First Lord of the Treasury that discussion on the Tithe Bill at its various stages has been unduly prolonged. If the right hon. Gentleman had been as constant in his attendance of these Debates as has his colleague the President of the Board of Trade, he would have known that the very reverse is the case, and that at the close of the Committee stage the right hon. Gentleman in charge of the Bill had nothing but words of commendation for the actions of Members on this side interested in the Bill. Indeed, the only words of criticism which fell from his lips were directed against one of his own supporters. It will also be in the recollection of many hon. Members that a very important Amendment indeed, affecting the future relations of landlord and tenant, was last night passed without a word from the Government and without any discussion from this side. Can it be said, then, the discussion was unduly prolonged on that point? When we consider that during the Autumn Session the First Lord swooped down upon private Members and took the whole of their time, it seems an extreme proposal on his part to pursue a similar course now.

(5.12.) Mr. A. STAVELEY HILL (Staffordshire, Kingswinford): I think the hon. Member for Caithness must be of a confiding disposition if he really thinks that any number of Members staying in the House on Friday night would have enabled the Government to reach the Tithe Bill that evening. The length to which the discussions on the Tithe Bill have been protracted has rendered necessary the Motion made by my right hon. Friend. What has necessitated the prolonged discussion on the Tithe Bill? Has it been questions arising out of the merits of the Bill, or is it something ulterior lying behind? I do not suppose there is any hon. Member who doubts for one moment that it is the fact that the right hon. Gentleman the Member for Newcastle is not ready to debate his Motion with regard to events in Tipperary; and it is a significant thing that, whereas the right hon. Gentleman was sitting in the House up to the moment when this subject arose, he has now removed himself from the House. I doubt whether we shall see him again at the present Sitting. Doubtless the leader of the House regrets that he has taken away the opportunity for the hon. Member for South Aberdeen and the right hon. Member for Thanet bringing on their particular Motions; but his action is the only way of dealing with the obstructive tactics applied to the Tithe Rent-Charge Bill.

(5.14.) Mr. J. STUART (Shoreditch, Hoxton): It is interesting to find that at least one Member has risen to support the Government Motion by argument. I leave it for the House and the country to say whether the Debates of the Tithe Bill have been unduly prolonged. Hon. Members generally should remember that they are dealing not with the particular question in hand, but with the certainty that private Members will lose their nights altogether during the rest of the Session. For, if this thing was done in the green tree, what will be done in the dry? If the time of private Members is taken away for a measure like the Tithe Bill, what are we going to do when the Land Purchase Bill comes on? What is the good of the House coming together in Autumn Session if, before the time that Parliament usually sits, private Members' time is to be taken away? Remember, that hardly any great question has become matured for legislation which has not first formed the subject of exhaustive discussion on private Members' nights, and one of the great causes that have led the Government into difficulties is the want of consistent and steady action they have shown in regard to measures before the House, and the fact that they have not taken sufficient opportunity to ascertain the opinions of private Members in regard to them. It is not an unimportant point to consider in connection with this Motion how the Government have used the time of private Members in previous years when they have taken it. They have, in fact, practically wasted that time over Bills in regard to which they did not know their own mind, or the minds of Members on their own side, and which they eventually had to withdraw. I oppose the Motion also because, if it is adopted, I believe it will endanger the Motion of the hon. Member for Poplar on Friday night, on a question in which the working classes of the country are very deeply interested. I should have liked, too, to hear what arguments could have been adduced by hon. Gentlemen opposite in support of the Motion of the right hon. Gentleman the Member for Thanet. It would be very interesting to see if there are any new ideas to be advanced. I rather fancy the Government are not anxious to have that Motion brought forward.

(5.18.) MR. STUART RENDEL (Montgomeryshire): If this Motion is to be interpreted as a reproach to Welsh Members for the manner in which they have conducted the Debates on the Tithe Bill, I think it is not justifiable. I understood that, as far as the Committee stage of the Bill was concerned, we had not only no reproach, but distinct commendation and approval from the right hon. Gentleman in charge of the Bill. Certainly there has been on no single occasion any opportunity of prolonging the Debate unduly, because the Government have been most conciliatory and ready to meet the wishes of Welsh Members. The action of the Government seems to have followed in consequence of what has taken place on the Report stage of the Tithe Bill; but I maintain that there has been no waste of time, and that fact has been admitted by Members of the Government. In making the Motion, the right hon. Gentleman has hardly assumed that there is any great urgency for it; and notwithstanding the slur that has been cast on the Welsh Members by the drastic character of the Motion, I repeat that they are entirely free from any charge of having by collusion needlessly wasted the time of the House.

*(5.21.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am perfectly certain my right hon. Friend meant to cast no slur upon the conduct of Members from Wales in reference to the proceedings on the Report stage of the Tithe Bill. There has, however, been delay, and on the Report stage, from other quarters. I may point out, however, that if the House comes to a decision on the Motion, they will have the whole of the evening for the remainder of the Report, which may be perfectly well concluded in that time, and thus this will be the only day of which private Members are likely to be deprived.

(5.22.) MR. HUNTER (Aberdeen, N.): Not only is this a most unwarrantable invasion of private Members' rights, but I think the Scotch Members have special cause to complain of the conduct of the Government in their treatment of Scotland. I am afraid, however, that this is only a part of their customary policy. If they introduce any measure affecting Scotland it is one opposed to the wishes of the great majority of the Scotch people, and it has to be carried by the votes of English Members. This evening a question of great interest to the whole of the people of Scotland was to have been discussed, and yet the First Lord of the Treasury selects this above all other days to advance a wretched and miserable Bill, in which even the people of England have no interest, and we are deprived of one of our rare opportunities of scoring in this House another Scottish majority against the Government. But I do not complain, for the Government are giving to the Scottish people another object lesson in the necessity of Home Rule for Scotland. It is another illustration of the necessity for making some provision for the consideration of Scottish questions, and if we cannot have our business transacted in this House we must transfer it elsewhere. This is the conduct of a Government which came into office to demonstrate the beauties of the Union and the advantages Scotland derives from it; and I anticipate that, as a result, the next General Election will see the return to this House of a large number of Members pledged to vote for Home Rule for Scotland.

(5.25.) MR. ABRAHAM (Glamorgan, Rhondda): The House will, I am sure, pardon me for entering my protest against the action of the Government in thus taking away the rights of private Members on the pretence of urgency for pressing forward the Tithe Bill. I think the Government have themselves to blame entirely for greater progress not having been made with the Tithe Bill. There are points in the Bill which the Welsh Members could not pass over without protest and strong resistance—points involving injustice to the Welsh people which the Government might well have abandoned. At the same time, although the Government have sought to push on the Bill from stage to stage with great haste, there is little, if any, demand or necessity for it in Wales. Not a single class of people—not even the clergy themselves—have united in any demand for the Bill; and I cannot conceive a more frivolous excuse for the important Motion proposed by the First Lord of the Treasury than the one which has been given. If the time of private Members is to be taken away in this manner, the attendance of private Members will soon become of little use, and we may as well stay at home and await the call of the Whips, who will, in due course, force us, like dumb driven cattle, into the Division Lobbies. I believe that this feeling is growing on both sides of the House. The private Members ought not, without urgent necessity, thus to be deprived of their rights, for some of the best and most useful legislation ever passed by this House has been initiated by private Members.

*(5.28.) SIR J. SWINBURNE (Staffordshire, Lichfield): I am sure the hon. Member for the Kingswinford Division of Staffordshire is entirely misinformed as to our views with regard to the Motion of the right hon. Gentleman the Member for Newcastle. Personally, in consequence of the pressure put upon me by the Whips, who desired the Bill to go through last night, I abstained during that Sitting from making more than one or two remarks. I want the House to consider for a moment what happened last Friday night. At considerable personal inconvenience I came back at 7 on that evening to help in the discussion of the Tithe Bill, and was at once informed that the Government had arranged a count out. My information has been confirmed in many quarters since, and yet now, in the middle of February, when, under ordinary circumstances, Parliament would be discussing the Queen's Speech, we are asked to take away the time of private Members. The First Lord of the Treasury has often twitted me with not having brought in a Bill respecting the appointment of Managers and Trustees of Charities. You might just as well ask a private Member to jump over the moon as to pass a Bill when the time of Members is taken away so early in the Session. Really, Mr. Speaker, I think Her Majesty's Ministers ought to consider what a very bad precedent and example they are setting in forcing this proposal upon the House.

(5.32.) MR. T. M. HEALY (Longford, N.): There is a Motion standing next on the Paper which we must vote upon without discussion, as far as this Debate is concerned, as it would not be in Order to discuss it now. I only mention it to remind the House of its existence, and to ask at what hour the Government propose to close the discussion on the Tithe Bill, in the event of the Motion being carried. As I understand, the First Lord of the Treasury says this is a case in which he will pick and choose. He will not give facilities for the discussion of the Motion respecting access to mountains in Scotland, but he says if we do not dispose of the Report stage of the Tithe Bill to-night he will not to-morrow impinge upon the Deceased Wife's Sister Bill. What business has he to say he will shut out the Scotch discussion, but will allow an English discussion to take place because certain Dukes and Lords are interested in it?

MR. J. KELLY (Camberwell, N.): May I remind the hon. and learned Member that the Deceased Wife's Sister Bill applies to Ireland?

MR. T. M. HEALY: Of course, I am not such a fool as not to know that. The Government say, in effect, that they will keep us sitting as long as they like —and why?—because they are determined not to interrupt the discussion about the deceased wife's sister. I say that is a most offensive proposition to put before this House; and if it is a question of the relative merits of access to mountains in Scotland and marriage with a deceased wife's sister—in which only Dukes and Earls are interested—between the health of Her Majesty's subjects and the matrimonial alliances of members of Her Majesty's family, the former ought to be considered first. What the Government ought to say is, that if the Tithe Bill is not finished by 12 o'clock, they will sacrifice the deceased wife's sister to-morrow. Do the Government mean to put before us the issue that the Deceased Wife's Sister

Bill is more important than the Tithe Bill? The supporters of the Deceased Wife's Sister Bill may be ready to sit up all night in order to obtain a discussion of that Bill to-morrow, but I am not ready to do so. If the Government have any *bonâ fide* belief that the Welsh Tithe Bill is of such immense importance, let them put it down for to-morrow. Those who remember the time when the right hon. Gentleman the Member for Mid Lothian led the House of Commons will recollect that he never made a Motion to take the time of the House towards the end of the Session without having a long string of precedents on which to support his proposal. When the Fourth Party, under which I was schooled, used to sit on this side of the House in the Parliament of 1880, precedents used to be wrangled over if it was proposed to take half an hour of the time of private Members. The noble Lord the Member for Paddington (Lord R. Churchill), or some other Member who was acquainted with all the precedents, from Genesis to Deuteronomy, used to bring them forward, saying, "In such a year so and so was Prime Minister, and he said so and so," and he used to go on quoting until he came down to what Lord Beaconsfield said or did. The right hon. Gentleman the Member for Mid Lothian never made such a Motion without a string of precedents as long as your arm being brought forward. The First Lord of the Treasury is so brazened in this matter—I use the phrase merely in a Parliamentary sense because, if he will allow me to say so, he is "the mildest mannered man" that ever cut a Parliamentary throat—he is so brazened in this matter that he comes down to the House, merely says he wants to-morrow, and must have to-morrow, simply because he wants it. This House, it must be remembered, met in November, apparently for the right hon. Gentleman's amusement, and it is now the 10th of February, a date at which the House of Commons has frequently not begun its labours. The right hon. Gentleman, however, is so greedy for the despatch of business that he absolutely wants to have the most important Bill of the Session read a third time at a period when the House has

not usually met at all. Under the circumstances, I should like to know when Parliament is going to dissolve—on what day in the month of April is the Prorogation to take place? I suppose everything is going to be in proportion. In view of the way in which the Welsh Members, whose grievance you admit, are being treated by the Government, I tremble to think what the Irish Members may expect when the Chief Secretary comes back. The Welsh Members have ventured to say three or four words in a mild manner, and they have been charged with obstruction of the most atrocious character. When we get into March, and the landlord's mouth is open a yard wide for British treasure and finds it not, what will be said of the Irish Members if they venture to discuss the Land Purchase Bill? It is not one, but probably every private Member's day that will be taken for that measure. I regard the action of the Government in this business as absolutely revolutionary. If, in the words of the hon. Member for Northampton (Mr. Labouchere), some hon. Gentlemen opposite who now receive £1,000 a year for holding their tongues in the House were sitting here below the Gangway, I tremble to think of the amount of rhetoric which would be discharged at the head of the Government if a Motion of this kind were made. This House of Commons has practically become a house of placemen. The Government come down with their Bills and Motions, and if anybody else ventures to propose a measure he is shut out. Private interest is no longer of any importance, and the people of the country ought to understand that no Member can successfully legislate unless he has a salary of from £1,000 to £5,000 per annum.

*(5.42.) MR. W. H. SMITH: The hon. and learned Gentleman has asked me up to what hour I shall ask the House to sit this evening. I trust it will not be necessary to ask the House to sit beyond midnight. It was hoped that it might be possible to conclude the consideration of the Bill last night. I certainly trust it will be concluded to-night. With regard to to-morrow, I have no desire whatever to interfere with the progress of Bills if it can be avoided; but if the consideration of the Tithe Bill is not completed to-day, I shall be con-

strained to put the Order down for to-morrow.

(5.43.) The House divided:—Ayes 243; Noes 178.—(Div. List, No. 46.)

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

(5.58.) Motion made, and Question put,

"That Proceedings on the Tithe Rent-Charge Recovery Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House."—(*Mr. W. H. Smith.*)

The House divided:—Ayes 242; Noes 172.—(Div. List, No. 47.)

SCHOOL BOARD FOR LONDON (SUPERANNUATION BILL).—(No. 49.)

(6.13.) Motion made, and Question proposed,

"That Mr. Bartley be a Member of the Select Committee on the School Board for London (Superannuation) Bill."—(*Sir Richard Temple.*)

*MR. J. G. TALBOT (Oxford University): I object to the Motion, on the ground that I have a Motion for the appointment of a Select Committee to inquire into the whole subject as affecting teachers in England and Wales. It seems to me it is a subject that should not be dealt with piecemeal, but that before action is taken there should be a general examination into a superannuation system, and it is not desirable to proceed to the nomination of this Committee until the House has had an opportunity of considering the Report of a Committee upon the whole question.

*(6.14.) MR. SPEAKER: The position is somewhat peculiar. The Mover and Objector are permitted to make short explanatory statements, but if there is evidence of considerable opposition to the Motion, it is obvious that the discussion cannot proceed now, and under Standing Order XVI., it was never contemplated that it should proceed under these circumstances. I am invested with authority to put the question at once for the Adjournment of the Debate, and as there is evidence of opposition to the Motion, I do so.

Question put, "That the Debate be now adjourned."

SIR R. TEMPLE (Worcester, Evesham): To what day, Sir.

*MR. SPEAKER: I am afraid the hon. Baronet must fix the day for himself.

SIR R. TEMPLE: To-morrow.

Debate adjourned till to-morrow.

MOTION.

PUBLIC HEALTH (INTERMENTS) ACT (1879) AMENDMENT BILL.

On Motion of Mr. J. W. Sidebotham, Bill to make better provision for the regulation and control of Cemeteries provided under "The Public Health (Interments) Act, 1879," ordered to be brought in by Mr. J. W. Sidebotham, Mr. John Albert Bright, Mr. William Cross, Mr. Godson, Mr. Lees, and Mr. William Sidebottom.

Bill presented, and read first time. [Bill 205.]

ORDER OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 184.)

Order read, for resuming the adjourned Debate on Amendment proposed to the Bill [9th February] (on consideration, as amended,)

And which Amendment was, in page 2, line 14, after the words "or other powers," to insert the words,—

"Provided that if the officer satisfies the Court that there is no sufficient distress on the lands liable to the payment of the tithe rent-charge, the Court may authorise the owner of the rent-charge to sue out a writ of *habere facias possessionem*, in accordance with Section 82 of The Tithe Act, 1836:—(*Sir M. Hicks Beach.*)

Question again proposed, "That those words be there inserted."

Debate resumed.

*(6.16.) MR. S. T. EVANS (Glamorgan, Mid): I would invite the close attention of the House to this proviso. It provides that in any case where the officer—it does not say by what means—satisfies the Court that there is not sufficient distress on the land where the occupier is the owner, then there may issue a writ of *habere facias possessionem*, and the entire property of the small freeholder will be handed over to the tithe owner. The President of the Board of Trade last evening said there was a provision of this kind in the Act of 1836, and that it would take effect under this

Act; to which there was the obvious retort, if that is so, then there is no necessity for the insertion of the Amendment in the Bill. But on further considering the Bill I think it will be evident that without the incorporation of these words there will be no power of the kind under the Bill, because by the 1st subsection of Clause 2 it is expressly enacted that tithe rent-charge as defined by the Act shall not be recovered in any other manner than that provided under this Bill. That would clearly repeal any provision of the Act of 1836, which is inconsistent with the provisions of the present Bill. I would point out how severely the occupiers and small freeholders are dealt with under this Bill, and it is apparent from this and other provisions that the interest of the tithe owner is considered first, then the interest of the landlord, and last of all the interest of the occupier and small freeholder. By way of illustration I may mention that the landlord is allowed three months before proceedings are taken aginst him, but the occupier is allowed no time at all. By the next sub-section of this clause no similar provision is made for seizure or sale of land which is let by the landlord to a tenant. Without stretching the imagination, a case might be conceived where it would be impossible that the rent and profits from the farm would equal the tithe rent-charge, and yet the Government have not inserted any provision to secure the payment of tithe in such a case, though that might be done by the sale of, or a charge upon, the land. I might put a case where rent and profits would not be sufficient for payment of the tithe. Take the case of land let in consideration of buildings being erected, or a fine or premium being paid—say let for 14 years with only a peppercorn rent for the first seven years; what is there then for the Receiver of the Court to receive? Where the landlord is not himself in occupation, where he is a big landlord letting to small tenants, there may be cases where the tithe rent-charge is not recoverable at all, and the only way to secure it would be by a charge upon, or sale of the land. That, of course, would not be to the interest of the landlords, but to many classes in the community it would be an advantage to have land sub-divided more than it now is. The Government are not prepared for that, but they are prepared on the *ipse dixit* of an officer to allow a writ of *habere facias possessionem* to be issued. The Bill was thoroughly discussed in Committee, but I do not know by whose suggestion this proviso is moved, or why there is no similar provision in the case where the land is let. You say that the powers of the tithe owner are not to exceed those under the Act of 1836, and the first sub-section of Clause 2 expressly states that the tithe rent-charge shall not be recovered in any other manner than by this Act.

*The PRESIDENT OF THE BOARD OF TRADE (Sir M. Hicks Beach, Bristol, W.): Will the hon. Member look at Sub-section 2, which, of course, governs these words—

> "The order shall be executed by the appointment by the Court of an officer who, subject to the direction of the Court, shall have the like powers for the recovery of the sum ordered to be paid as are conferred by the Tithe Acts on the owners of a tithe rent-charge for the recovery of arrears of tithe rent-charge, and no greater or other powers."

That includes the officer's right of entry.

*Mr. S. T. EVANS: But the right hon. Gentleman has an Amendment.

*Sir M. HICKS BEACH: The hon. Member will allow me to explain that as the right hon. Gentleman the Member for Derby urged that the words might be construed to give the right of entry to the officer and not to the tithe owner, our object is to remove uncertainty from the construction to be put upon the words.

*Mr. S. T. EVANS: I hold that the words are very clear. There does not happen to be a law officer on the Bench opposite at the present moment, but there is a great legal luminary there who could decide between us. The words of the sub-section run as follows:—

> "Where it is shown to the court that the lands are occupied by the owners thereof the order shall be executed by the appointment by the court of an officer, who, subject to the direction of the court, shall have the like powers by distraint for the recovery of the sum ordered to be paid as are conferred by the Tithe Acts or the owner of a tithe rent-charge for the recovery of arrears, and no greater or other powers."

The words "by distraint" were inserted last evening, and it is clear that only the powers of distraint are intended. I am sorry to find myself in conflict with the right hon. Gentleman, but I have no doubt that only the powers of distraint are given by the words of the section. Coming back to my first point let me say this. If you have power already under the Act of 1836, will that power be still applicable, and if so let me ask what is the necessity for incorporating this proviso at all? If the right hon. Gentleman does not wish to confer more power than already exists—why put in the proviso? The proviso itself is very much more obnoxious than Section 82 of the Act of 1836, to which he has referred. I contend that that section does not apply, but if it does then let it be so, but this is a very different proviso, that the Court without hearing evidence shall be satisfied with the *ipse dixit* of its officer.

(6.24.) MR. H. R. FARQUHARSON (Dorset, W.): I hope this proposal will be thoroughly threshed out, for from the landowner's point of view it is most important. I cannot understand why this addition is proposed to be inserted. As the hon. Member opposite has said, if it is in the Tithe Commutation Act why insert it here? I cannot help thinking from the experience we get of the wishes of the tithe owners that they must have some very good reason for this Amendment. There is another objection. With other hon. Members I have had the advantage of a classical education, but I must confess I have forgotten the Latin I learned in my younger days, and of this I am quite certain, that when yeoman and tenant farmers come to read over this Bill in which they are so much interested, they will stumble at this proviso, scratch their heads, and wonder how it is an English Parliament cannot use English words. I know the right hon. Gentleman has said that the Act of 1836 gives power to enter on land for the recovery of tithe, but I will say that this clause in the Act of 1836 is the most objectionable clause in the whole Act, and is ten thousand times more objectionable now than when it was enacted. The conditions of agriculture have immensely altered, there are thousands of pounds invested in agriculture now where there were tens or hundreds of pounds in agriculture in 1836. This Bill puts into the power of the tithe owners to enter on a man's land and take possession of what is known as tillages. Under the Agricultural Holdings Act it is specially laid down that tillage and a variety of acts of husbandry shall be considered property for which the person entering on the land shall pay, but here you allow the tithe owner to come in on a yeoman farmer's land, seizing the whole of the tillages without any allowance whatever. I do not see why the tithe owner should have greater freedom in taking another man's property than any other man in the kingdom. When the tithe owner takes advantage of this clause there will be several courses open to him. He might enter on a man's land, and, devoting the whole of it to grain, breaking up most valuable pastures, he might do an incalculable amount of mischief to the land and cause great loss to the owner; he might get in a large crop to satisfy himself, ruining the land for years to come. The land might be farmed badly or too well, causing future loss. There is another course which the tithe owner may adopt, and which he generally does adopt when he takes possession of the land. If the tithe owner, when he takes possession, does not pay for what are termed tillages, it is perfectly clear that when he goes out of possession neither he nor his tenant, if he have one, can have any claim for tillages. I should like to know what respectable farmer at the present time will enter upon land upon such conditions. The tenant will have to quit directly the tithe owner is satisfied, without being able to claim any notice. No respectable tenant farmer would give anything like a reasonable rent for land that has to be let upon such conditions. The result will be that the tithe owner, by taking advantage of this clause, will be able to keep the landowner out of the possession and enjoyment of his land, not only for a year or two years, but possibly for the whole of his life-time. I think it is a most objectionable clause, and I propose to move a slight addition to the words proposed by the right hon. Gentleman with the object of, to some extent, obviating the difficulties I have mentioned. I propose to add the following proviso:—

"Provided always that any person obtaining possession of any lands by virtue of such right shall make such payments to the owner as would be due from an incoming tenant under the Agricultural Holdings Act of 1883, and shall during his occupation be subject to the provisions of that Act and to the custom of the country."

Clearly, if a man has to pay for tillage on coming in, he will have some claim for them on going out. Under my Amendment it will not be in the power of the tithe owner, as I believe it is at the present moment, to destroy the tithepayer's property. It would be the most wanton destruction for a tithe owner who took possession of pasture land to plough up that land for the purpose of securing one good crop to satisfy his claim. I hope this matter may be thoroughly discussed, and that the yeoman-farmers and landowners generally will be protected from the rapacity of the tithe owners.

Amendment proposed at the end of the proposed Amendment, to add the words—

"Provided also that any person obtaining possession of any lands by virtue of such writ shall make such payments to the owner as would be due from an incoming tenant under 'The Agricultural Holdings Act, 1883,' and shall, during his occupation, be subject to the provisions of that Act and to the custom of the country."—(*Mr. Henry Farquharson.*)

Question proposed,, "That those words be added to the proposed Amendment."

*(6.38.) SIR M. HICKS BEACH: I think my hon. Friend rather misconceives the occasions on which this proviso would operate. This sub-section has nothing whatever to do with a case where land is let.

MR. H. R. FARQUHARSON: My suggestion is that the tithe owner would let the land to cover the tithe.

*SIR M. HICKS BEACH: Of course if the tithe owner let the land he would become subject to the Agricultural Holdings Act of 1883 like any other landlord. That is not the case which the Amendment, as my hon. Friend has moved it, would deal with. The case it would deal with is that in which an occupying owner fails to pay the tithe rent-charge and the tithe owner, finding nothing on which to levy a distress, enters upon the land. In that case there will clearly be no tenant on the land. My hon. Friend proposes that the occupying owner shall be paid by the tithe owner when he enters into possession for acts of husbandry and other compensation under the Agricultural Holdings Act. Now, what acts of husbandry could there be? Of course, there could be no hay or straw on that land, because if there were the tithe owner would distrain, and the case that it is desired to meet could not arise. There might be growing crops; but the tithe owner would be entitled to those. They would be his right; he would come in by right of ownership of the tithe. The acts of cultivation which have produced those crops will have been done by the owning occupier with the money with which he ought to have paid his tithe rent-charge, which is the first charge on the land, and when the crops come to maturity the tithe owner has the right to seize them as, under the existing law, he has the right to seize hay and straw. There can come in no question of compensation at all. I have endeavoured to deal with the case from the hon. Gentleman's point of view, but from my own point of view the case where this right of entry would come in force, would not be that of farms under cultivation, but that of derelict farms in the legal occupation of the owner, which he is unable to cultivate and on which there is no distress. The tithe owner in those cases would enter upon the land or let it under the provisions of the Act of 1836. If in doing so he committed waste by breaking up pasture or any thing of that kind he would be liable for damages for that waste. I confess I do not see in what way the words moved would apply to the case in point.

(6.43.) SIR W. HARCOURT (Derby): This Amendment arises in connection with the question of derelict farms, and it is a singular fact that the case of such farms was overlooked by the framers of the Bill. The right hon. Gentleman has spoken of these discussions fairly enough, but I hope no one behind him will say we are delaying the Bill, seeing that we are discussing an important feature which was not even considered by the framers of the measure. We have had Tithe Bills before us now for two years, and have gone through them clause by clause, and Amendment by Amendment, and that the attention we have bestowed upon the Bill is amply justified is shown by the fact that the Government never considered this subject until now. We know that in several parts of the country land has not yielded any rent at all, and there being no means of distress, the farms have become derelict, and have passed into the hands of the tithe owners, very often into the hands of the colleges, who—as I once took the liberty of saying, and I think further inquiries justified the statement—are not the best cultivators of the soil in the world. I have seen an example given where the land passed into the hands of the colleges under such powers as are now proposed, and was let subject to the condition that it should not be cultivated according to the custom of the country. Now, what did that mean? It meant that the land would be run out. The custom of the country is intended to preserve the fertility of the soil, and, by keeping up a proper rotation of crops, to prevent its exhaustion. But in the case to which I refer, in order to facilitate the letting of the derelict farm, it was tendered subject to conditions which would be possible under the Amendment of the right hon. Gentleman, and which led to waste of the land as complete as could be. The right hon. Gentleman has introduced this Amendment, but he has not at all met the objection I took, and in consequence of which this proposal has been submitted, because I asked what was going to happen in the case of the County Court if the land under this process, which is known in connection with the old tithe rent-charge as a writ of *habere facias possessionem*, passed into the possession of the Court? Before, the tithe owner was the person who came in under this writ, but here, under this Amendment, the Court may authorise the owner to sue under a writ of *habere facias possessionem*, and it is not clear that the County Court itself will not take possession in the person of its receiver.

*Sir M. HICKS BEACH: The right hon. Gentleman has omitted to notice that we have inserted the word "distraint," so as to show that the only power the officer of the County Court will have will be that of distraint.

Sir W. HARCOURT: I want to know what are going to be the exact limits of the County Court powers in this matter of derelict farms, because it is a very material question. You know the tithe owner is not placed in permanent possession of the land. He is only placed in possession for a period sufficient to repay the distress and the costs. That is the object with which he receives possession of the land, and when he has satisfied the tithe-charge and the costs, the land is restored to the original owner. What we want to know is what will be the treatment of the land in the interval, because after three or four years' treatment in the manner I have just referred to it would become so dilapidated that when returned it would be in a worse condition than it was at the beginning. These are matters which arise on the question of derelict farms, and I shall be very much surprised if hon. Gentlemen opposite, who take some interest in the treatment of the land, do not give consideration to these points. Simply to introduce this right under the authority of the County Court without any further provision or explanation as to how it will act seems to me a most unsatisfactory thing.

*(6.49.) Mr. C. W. GRAY (Essex, Maldon): The point under discussion is a much more important one than the right hon. Gentleman the President of the Board of Trade seems to think. It is quite true that if there are crops on the land which can be turned into money, the tithe owner will have the right to turn them into money. But there may be a considerable number of acres on the farm under what is called tillage, on which nothing is growing. Now, if there is a tithe of some £10 or so due to the tithe owner, I do not think that he should be allowed to enter and spoil the tillages.

*Sir M. HICKS BEACH: I would point out that the tithe owner's desire to realise his tithe would compel him to complete the cultivation that had been begun. If the land had been ploughed he would harrow and sow and reap the crop, and after selling it keep the amount of his tithe and pay the remainder over to the owner of the land.

*Mr. C. W. GRAY: Quite so, if the tithe owner, or whoever the man may be, who got possession of the farm understood as much about agriculture as the right hon. Gentleman does. But I can assure him that in dealing with the heavy clay lands of Essex it would take a very clever man to know what to do with a particular tillage. It is a perfectly reasonable supposition on the part of my hon. Friend that a great deal of injury might be done to a vast amount of preparatory work in the way of tillages by a man who might enter under this clause, and who might know no more about farming than I do about legal definitions or other lawyers' work. Under these circumstances, unless a great deal more light is thrown on this proposal of the Government. I am afraid I shall be compelled to oppose it. I should be very sorry indeed if the tithe owner for the sake of recovering a small amount of tithe, should be able to spoil a great deal of labour that had been done in the way of tillages.

*(6.54.) MR. WROUGHTON (Berks, Abingdon): I have viewed this Bill with great suspicion, because I believe it to be drawn solely in the interest of the tithe owner, and with no regard to the interest of the tithepayer. I have a suspicion of this Amendment, which, perhaps, the right hon. Gentleman may be able to remove. It says—

> "If the officer satisfies the Court that there is no sufficient distress on the lands liable to to the payment."

That seems plausible enough. But it does not assure us that what is found on the farm in the shape of chairs and tables will not be touched. I do not find those words in the old Act. In the Act of 1836 the word "premises" is used instead of "lands," thus rendering personal property liable to distraint.

*SIR M. HICKS BEACH: I am willing to take the words of the old Act. Nothing will be liable to distraint except that which is liable now.

*MR. WROUGHTON: I do not think that is satisfactory. The whole nature of tithe is that it is a charge on the land or the produce of the land. At present, as is well known, landowners and yeomen farmers have found it impossible to farm their land at a profit. They have been farming for years and finding all the capital—giving themselves all the trouble and incurring all the risk—and they have found that after paying the heavy tithes, commuted in the time of the Corn Laws, they have nothing for themselves. Unless we are careful in framing the clause we shall find that everything may be taken from them, personal property, as well as the produce of the land.

(6.56.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): As one who has been for years engaged in practical agriculture, I must say I think the hon. Member for Dorsetshire has made out a very good case for this Amendment. I do not think the President of the Board of Trade was justified in assuming that no acts of husbandry would be performed by anyone coming in under this order. It seems to me that cultivation and tillage of some kind is always going on, and that whilst the tithe owner was waiting for £10 worth of produce to pay his tithe-damage to the extent of £20 or £30 might be done. I do think that under the circumstances, it is reasonable that the owner of the land should be protected, and if my hon. Friend goes to a Division, I shall go into the Lobby with him.

*(6.57.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): There has been considerable misapprehension on this matter. The subject has, no doubt, been brought under consideration, as the right hon. Gentleman the Member for Derby stated, by the raising of the question of County Court dealings with derelict farms. But hon. Members have exaggerated the extent to which the Amendment will have application. If there is an owner or occupier in the place it is scarcely possible to conceive that there will not be sufficient distress, therefore, it is only in cases of derelict farms where any necessity for entry will really arise. In these cases, the assumption is that the land has, to a great extent, gone out of cultivation, and that cultivation has to be taken up on behalf of the tithe owner, who desires to make what he can out of the land. It is at this point that we have stepped in. The right hon. Gentleman the Member for Derby has said, over and over again, that he does not wish to improve the position of the tithe owner. Well, this Amendment does not improve his position one whit, but simply enables him to take up the powers conferred by the Act of 1836, and exercise them in the case of derelict farms. It is not the case that any fresh powers are given of touching tables or chairs or anything of that kind, but the tithe owner will be able to go in

and cultivate the land. An hon. Member said it is a question of the *ipse dixit* of the officer of the Court, but it is nothing of the kind. The object is to put the tithe owner in exactly the position he would have been in under Section 82 of the Act of 1836. I think if hon. Members who know anything of the law will look into the matter they will see that if the tithe owner is allowed to go on to a farm he should be under the same liabilities as occur at present where compensation can be claimed if he wantonly or wilfully mismanages the land. Hon. Members below the Gangway do not seem to understand the circumstances in which this proviso is applicable. It is applicable to the case of derelict land, because if there is sufficient on the premises to satisfy a distress the question as to power of entry never arises. The argument about ploughing up the corn lands, and so forth, would not, of course, apply where the owner is in occupation. Let me instance a case where the owner has been in occupation. He will either go on cultivating the farm or not. If not, the time will come when there will be no crops on which a distress can be levied, and the power of entry will arise. This power has not been taken advantage of by the tithe owners to any extent, because they find it better to wait till the crops are ripe or have been raised by the occupier or owner, so that they may then avail themselves of the power of distraint. It is only where the landowner is unable to cultivate the crops, and treats the land as derelict, that the power of entry would be exercised by the tithe owner instead of by the County Court bailiff.

*(7.5.) MR. F. S. STEVENSON (Suffolk, Eye): I would put it to the Government: Why cannot they avail themselves of the exceedingly useful suggestions which have been offered from both sides of the House on this matter? The hon. Member who spoke before the Attorney General has suggested certain limitations whereby the distress shall be only on the produce of the land, and there was the suggestion of the hon. Member for West Dorsetshire (Mr. H. Farquharson), whose object was that if any harm ensued from the undue proceedings of the tithe owner in entering upon the land the owner might obtain compensation for wasteful or improper cultivation. As the matter stands, however, we have not even the ghost of a guarantee that the operation of the Government Amendment may not extend to other cases besides those of derelict farms. I can conceive a case in which a man, having got in his crop, finds that he has not sufficient money to pay the tithe, and the land may be of such a nature that it may be thought desirable to let it lie fallow for a certain number of months. What, I ask, will be the position of the tithe owner with that land, say between autumn and the end of March? During that period the land may be much in the position of derelict land, and yet it would be unjust to permit the tithe owner to step in and take possession of the farm. The tithe owner might not be sufficiently acquainted with the proper rotation of crops or with the character of the soil, and the farm might thereby suffer deterioration. In a case of that kind, I fail to see what the operation of the Amendment moved by the President of the Board of Trade would be, and therefore I feel that some sort of limitation or safeguard ought to be interposed.

(7.10.) MR. JEFFREYS (Hants, Basingstoke): I would remind the House that this power of entry has always been in force under the old Act, by which the tithe owner was enabled to put the writ of *habere facias possessionem* in force if he could not get what was due in any other way. I am somewhat surprised that the hon. Member for Berkshire when he addressed us did not give us a case in point with which he is intimately connected. The hon. Member owns a farm which was unable to pay rent or tithes, and he handed it over bodily to the tithe owners, who, I believe, are still farming the land. I think it would have been very interesting if the hon. Member had told the House what results had been obtained by the tithe owners. I am afraid they do not get much. As a rule, however, the tithe owners are afraid to take the land, and would rather forego a large portion of tithe than have the land upon their hands. Still the question that has been raised as to tillages is a very important one, and I think it obvious that there ought to be some safeguard against the land being injured or deteriorated. It would be a simple matter to add a few words that would effect this object, and I hope the Government will see its way clear to the adoption of that course.

*(7.15.) MR. S. T. EVANS: We are told that if the tithe owner, in entering upon a farm, breaks up pasture land or commits waste, he is liable to pay compensation; but I do not know under what provisions that liability is incurred. However, assuming he is liable for actual waste, is there any security that he is liable for permissive waste. I do not know that he would be liable if he merely allows the land to go out of cultivation or does not cultivate it properly. It is said that the officer of the Court would not have the power suggested by the right hon. Gentleman the Member for Derby (Sir W. Harcourt), namely, of management, but only the power of distraint; and that appears to be so, as far as I can gather from the construction of the section; but let me point out what a circuitous procedure this would require. After the passing of the Act you cannot enforce the payment of tithe except by the intervention of the County Court, and in certain cases the order of the Court is to be executed in one way, while in other cases it must be executed in another way. The Amendment says—

> "If the officer satisfies the Court that there is no sufficient distress on the lands liable to the payment of the tithe rent-charge, the Court may authorise the owner of the rent-charge to sue out a writ of *habere facias possessionem*, in accordance with Section 82 of The Tithe Act, 1836."

And you must go to a Superior Court to get that writ, and again to supersede it. In fact, proceedings may go on for ever. Moreover, the Government do not adopt the words of the Act of 1836—"If there should be no sufficient distress on the premises." If the Amendment of the Government should be adopted, I shall feel it my duty to move the omission of some of the words and the insertion of those used in the Act of 1836.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I cannot but think that the Government would have done well not to have put this Amendment on the Paper, as it seems to me only to complicate the difficulty. I cannot see why, when they have got nearly all they want they should go out of their way to introduce into the mode of procedure under the Bill this old-fashioned, arbitrary and inconvenient mode of trying to get at the tithe. I would suggest that they had better withdraw the Amendment altogether; if they do not I think they will find they are placing their friends the tithe owners in a very different position. I think hon. Members are right in insisting that if the tithe owner takes it into his head to enter into possession when he finds a farm will not pay tithe, the occupying owner shall be placed in a fair position, and afforded an opportunity of obtaining from the amateur farmer, or tithe owner, a fair compensation for whatever injury may be done. I hope the Government will see the wisdom of not persisting with this very foolish Amendment.

*(7.20.) SIR M. HICKS BEACH: With the permission of the House, I think I may state that I shall be able to some extent to meet the wishes of my hon. Friend the Member for Maldon. This does not seem to me to be a question to be dealt with as a matter of compensation between landlord and tenant. The positions of the parties are different, and, therefore, the law as to compensation, as it appears to me, would not properly apply. But I think there is a great deal in what has been said by the right hon. Gentleman the Member for Derby, and by hon. Members on this side of the House as to the possibility of the landowner being injured by waste or improper cultivation, and I will undertake that we will have the point carefully looked into with a view to having words drawn up and inserted so as to make it perfectly clear that the land owner shall be properly safeguarded by rendering the tithe owner liable to him for any injury by waste.

MR. LLOYD-GEORGE (Carnarvon, &c.): Will those words be inserted to-night?

*SIR M. HICKS BEACH: I cannot undertake to frame the words off-hand. The Amendment would have to be made elsewhere.

SIR W. HARCOURT: I do not think that this is at all a convenient way of dealing with the Amendment, and surely, when our conduct on this side of the House has been so freely criticised in relation to this Bill, it is a singular thing that the Government cannot manage, on account of the extreme haste with which they are pressing forward this Measure, to introduce a few words qualifying their proposal before the Bill leaves this House. This is the second Amendment they cannot find time to introduce into the House of Commons, and what is the consequence of all the helter-skelter with which the Bill is being forced upon us? These are Amendments which, from time to time, the Government have resisted, hour after hour, until, when an Amendment has been proposed from their own side they allow themselves and the House to be driven into a corner, and then say, "For heaven's sake allow us to propose an Amendment in the House of Lords, and take your chance whether it will be adopted there or not."

*(7.25.) MR. HAMBRO (Dorset, S.): I have not heard a single remark from the Government showing what objection they have to the Amendment of the hon. Member for West Dorset, and I hope to hear from them some assurance that they will meet the object he has in view.

SIR W. HARCOURT: I would ask whether the Government cannot meet the object by re-commiting the Bill in order to introduce the Amendments they propose. We have no business to be met by the statement that Amendments will be introduced in the House of Lords. If I am in order in doing so, I will give notice that we will call on the Government to re-commit the Bill for the purpose of introducing their Amendments before the Third Reading.

*MR. SPEAKER: It is quite competent to the House to re-commit the Bill before the Third Reading.

MR. H. R. FARQUHARSON: I should like to know whether the right hon. Gentleman is prepared to accept words carrying out the object of my Amendment?

*SIR M. HICKS BEACH: What are the words?

MR. H. R. FARQUHARSON: I have no form of words to propose; I leave it to the Government to frame the words they may think necessary for the purpose.

*MR. C. W. GRAY: May I ask whether we are still expected to agree to the Amendment the right hon. Gentleman has upon the Paper? Would it not be better to allow it to remain in abeyance?

*SIR J. SWINBURNE: As there seems to be a good deal of division of opinion on the legal aspect of the matter, the Attorney General saying one thing and hon. Members belonging to the legal profession on this side saying another, I think it would greatly facilitate the passing of the Bill if it were re-committed for the purpose of having an Amendment inserted that would meet general acceptance.

*SIR M. HICKS BEACH: In answer to my hon. Friend the Member for Maldon I may state that I will not press my Amendment now.

Amendment to the proposed Amendment, by leave, withdrawn.

Amendment, by leave, withdrawn.

(7.30.) Amendment proposed, in page 2, line 21, after the word "Receivers," to insert the words, "as in any other case."—(*Sir M. Hicks Beach.*)

Question proposed, "That those words be there inserted."

*MR. S. T. EVANS: These words were struck out in Committee. I raised an objection in Committee which was supported by the right hon. Gentleman the Member for Derby. These seems to me the very same words which were struck out in Committee.

*SIR R. WEBSTER: There was a misapprehension when the words were struck out in Committee, and these words are necessary to make line 21 read in accordance with subsequent provisions. They do not enable the County Court to confer more powers upon the Receiver, but simply to give the Court control over the Receiver.

*SIR M. HICKS BEACH: The words are in accordance with the alteration which the hon. Member himself effected in Clause 2, and they are to enable the Court to have full control over the Receiver, and not to enable the Court to confer further powers on the Receiver.

Question put, and agreed to.

*MR. S. T. EVANS: Would it not be better to insert the word "over" instead of "in respect of?"

*SIR M. HICKS BEACH: I have no objection at all.

Amendment proposed, in page 2, line 21, to strike out the words "in respect of," and insert the word "over."

Amendment agreed to.

*(7.37.) MR. S. T. EVANS: We come now to the case which the Government promised to consider in Committee. I beg to move to insert at the end of Sub-section 3 the following words:—

> "Except in cases where the Receiver satisfies the Court that such rents and profits are not sufficient to comply with and satisfy such order."

I think it is very clear to the House that in cases where the rent and profit of the land are not such as to satisfy the tithe rent-charge, there is no provision at all for the recovery of the tithe charge. Take the case which I used before, of a lease of 14 years between an occupier and a landlord. It might be that the landlord had a spite to the tithe owner, and would say to the occupier—"Give me a big fine, and let me have it at once; or, pay me the rent in advance and I will give you the farm at a lower rent for the subsequent period of the lease." In that case the lowered rents may not be sufficient to satisfy the tithe, and it will not be paid at all. Or take the case of a landlord letting the farm for 14 years on these terms: The buildings are wrecked, and he says—"I am a poor landlord; I cannot spend money to erect buildings; but if you (the tenant) will erect the buildings, I will for the first seven years let you have the farm rent free, or for a peppercorn rent." That is very often the case, I am told. Under such circumstances, it would be impossible for the tithe owner to get his tithe at all. This is one of the cases which the Government promised to consider. I should like to hear what the Government have to say about it, for it is clearly a case which ought to be governed by the Act.

Amendment proposed, in page 2, line 24, after the word "lands," to insert the words—

> "Except in cases where the receiver satisfies the court that such rents and profits are not sufficient to comply with and satisfy such order."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*(7.43.) SIR M. HICKS BEACH: The words proposed by the hon. Member inflict upon the owner a disability from which under the Bill he is especially guarded, and it is contrary to the existing law that any land should be sold for arrear of tithe. I hope the House will not agree to the Amendment.

(7.44.) MR. ARTHUR WILLIAMS: It is quite obvious that if the owner of the land objects to the tithe, he may arrange with the occupier for a fine or some other consideration, and the consequence may be that the tithe owner does not get his tithe. Or it may be that no actual rent is paid for a term of years, and that the sum due by the ordinary tenant to the ordinary landlord is considerable. My hon. Friend might adopt a form of words which require the Receiver to satisfy the Court of the value of the land.

(7.45.) MR. LLOYD-GEORGE: I would ask the right hon. Gentleman to take the case of a farm which is let at a peppercorn rental in consideration of some outlay by the tenant or some capital outlay. Under this section the tithe owner is only entitled to enter into receipt of the actual rent of the land. If the tithe is in excess of that actual rent, then the tithe owner is barred of his remedy. Again, suppose the landlord lets his farm to his son or to some relative at no rent whatever, or merely a nominal rent, in that case under this section the tithe owner would not receive a farthing out of the landowner. He is only entitled to receive rents which the tenant is liable to pay to the landlord. He cannot go beyond the actual extent of the rent of the property at the time, because this section is only applicable to cases in which the owner is in occupation. It cannot be said the owner is in occupation when he has let his land at a nominal rental. I think in the interest of the tithe owner this Amendment should be made to apply. Unless this Amendment is adopted it will be open to anyone by a simple contract of the character I have indicated to get out of the payment of any tithe whatever. Therefore the tithe owner would be deprived of any remedy whatever. If I were asked how to get rid of this Act, I would reply that the simplest way was this. Let the owner of the land, instead of letting at an annual rental of £100, ask the tenant to pay a premium of £1,000, letting the tenant have the land rent free in consideration of the premium for ten years. If there were an agreement of that character, the tithe owner would be absolutely without any remedy whatever. Now if the landowner refuses to pay tithe, the tithe owner makes application to the Court, which appoints a receiver, who simply steps into the shoes of the landowner himself. The Receiver can only do what the agent of the landowner might do; he can simply receive the rents and profits and compel the occupier to pay such rents and profits as he would be liable otherwise to pay to the landowner. Therefore, the tithe owner would have no remedy whatever. I certainly venture to think that my hon. Friend's proposal is a very good way of getting out of the difficulty.

(7.48.) The House divided:—Ayes 99; Noes 133.—(Div. List, No. 48.)

*(7.57.) SIR J. SWINBURNE: I I beg to move the omission from Sub-section 6 of all the words after the words "rent-charge." My reason for doing so is that the last portion of the clause appears to be taken, in substance at all events, from the Irish Coercion Act, and I believe that it is unknown to the English law. I believe the practice is unknown to the English law, that we should proceed against unknown persons. The clause at present reads that proceedings may be taken against the owner of land without the name of the person being known. I think that is entirely unconstitutional, and against the practices and wishes of the law-givers, at least in England. I have no doubt we shall hear from the Law Officers of the Crown what is their opinion of it. We may find that a statute of Edward III. may be brought to bear on this. The practice laid down under the Irish Coercion Act of proceeding against unknown persons does not commend itself to the British public. I hope that the Government will agree to these words being struck out of the clause.

Amendment proposed, in page 2, line 41, to leave out from the word "rent-charge," to the end of Sub-section (6) of Clause 2.—(*Sir John Swinburne.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*SIR R. WEBSTER: The hon. Baronet has assumed a most lively interest in these unknown persons. What we say is that when the tithe owner is not known proceedings may be taken to force him to disclose. It seems to me a proper thing that there should be procedure by substituted service. An owner may be lying dark, and the object is to force him to a disclosure. It is a mistake to suppose that this machinery has never been provided in any Act except the Crimes Act. It has been put into Bills during the last five or six Sessions, and before that—into the Bankruptcy Act, the Merchant Shipping Act, and other measures, of which I could give the hon. Member a catalogue. I am sure there can be no objection to the clause.

(8.0.) MR. LLOYD-GEORGE: Before the question is put I should like to know whether is it incumbent on the tithe owner to make any inquiries as to who the owner of the land is. Is it sufficient for him to say, "I do not know who the owner of the land is?" Is there no protection against the landowner saying, "I am not going to take any trouble to ascertain who the owner is?"

The House divided:—Ayes 120; Noes 67.—(Div. List, No. 49.)

*(8.14.) SIR J. SWINBURNE: Now that my Amendment has been rejected I beg to add at the end of Sub-section 6 "and the occupier has refused to give the name of the owner."

Amendment proposed, in page 3, line 3, at the end of Sub-section (6) of Clause 2, to insert the words "and the occupier has refused to give the name of the owner."—(*Sir John Swinburne.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: I hope the hon. Member will not press the Amendment. As he was told twice before the last Division, this is a matter which will be settled by rules.

*SIR J. SWINBURNE: Perhaps I may explain.

*SIR M. HICKS BEACH: I rise to order. The hon. Member has already spoken.

SIR W. PLOWDEN (Wolverhampton, W.): I think the Government might well accept this Amendment. If the question has to be settled by rules, why should it not be settled here?

*SIR R. WEBSTER: May I point out to hon. Gentlemen that you might just as well insert in the Statute every condition that will enter into the minds of those who will frame the rules. To insert such a condition as the hon. Baronet proposes would be stultifying the Act.

*SIR J. SWINBURNE: I rise to a point of order. Mr. Speaker, as I have not spoken upon this Amendment, I wish to ask you whether I have not the right to speak?

*MR. SPEAKER: The hon. Gentleman has proposed the Amendment, and has actually spoken to it. He cannot speak again.

(8.16.) MR. LLOYD-GEORGE: Could not the Government accede to the insertion of some such words as the Attorney General suggested, so as to make it necessary for the tithe owner to make all reasonable inquiries as to who the owner is? What I am desirous of providing against is the possibility of the clerical tithe owner saying "I am not going to bother myself as to who the owner is." Only a few weeks ago, the case came under my notice where the tithe owner served a notice upon a wrong person. I can quite understand that the Amendment will not cover every circumstance and contingency, but it is a proper Amendment as far as it goes. The rules will simply set forth the method whereby service shall be effected. I should like to see some indication, direction, or instruction to the framers of the rules, as to the character the rules should assume. Unless some Amendment, such as this is adopted I trust my hon. Friend will go to a division.

(8.20.) The House divided:—Ayes 73; Noes 114.—(Div. List, No. 50.)

(8.30) MR. LLOYD-GEORGE: Before the right hon. Gentleman proposes his Amendment I have an Amendment to propose in words suggested by the Attorney General at the end of Sub-section 6 of Section 2, as follows—"Every reasonable inquiry having first been made as to who the owner of the land is." This will provide a sort of direction to the framers of the rules as to what line they should take with regard to tithe owners serving notices under this Bill without having made any investigation into the circumstances of ownership.

Amendment proposed, in page 3, line 3, at the end of Sub-section (6) of Clause 2, to insert the words "every reasonable inquiry having been made as to who the owner of the land is."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I really must protest against the hon. Member taking this course, casually taking out one of the many provisions which will have to be made a matter of consideration, and making it the subject of special reference in this way. It is impossible that we can accept this Amendment.

*SIR J. SWINBURNE: But I hope the Attorney General will give some consideration to this suggestion. Cases have happened in which tithe owners have served these notices upon the wrong men altogether; and these men were put to considerable expense to get relief from the consequences of notices being served. The hon. Member has knowledge of the law, and practical experience of what has actually happened in Wales, and certainly I do not think it is asking too much to say that some small trouble should be taken to ascertain the real owners. The words are those actually used by the Attorney General himself.

*(8.35.) MR. S. T. EVANS: I am sure my hon. Friend does not wish to put the House to unnecessary inconvenience. His intention was by introducing some words of this kind to prevent a tithe owner from capriciously serving notices upon the land when he had no real difficulty in finding out the actual owner of the land.

*SIR M. HICKS BEACH: I hope the hon. Member will not think it necessary to press this; it is a matter that must be dealt with by the rules, and I will undertake to mention the matter to the Lord Chancellor.

MR. LLOYD-GEORGE: Since the right hon. Gentleman has undertaken to see that proper protection shall be given to owners in this matter I will not press the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 3, line 3, at the end, to insert the words—

> "The fees payable on the proceedings under this section shall not exceed those set forth in the Schedule to this Act, and the fees, charges, and expenses in or incidental to any distress under this Act shall be the same as are for the time being payable under "The Law and Distres Amendment Act, 1888."—(*Sir M. Hicks Beach.*)

Question proposed, "That those words be there inserted."

*(8.38.) MR. S. T. EVANS: I was in hopes the right hon. Gentleman would have tendered us some explanation of the proviso and the Schedule to which it refers. When this question was discussed in Committee it excited the greatest interest in all parts of the House, the suggestion for a Schedule being thrown out by the right hon. Gentleman the Member for Bury in discussion upon my Amendment which was defeated. It is because of the evident interest that in several quarters of the House was taken in the subject that we have to thank the Government for a Schedule. But this Schedule is very defective inasmuch as it deals simply with the question of "fees," and not of costs. There seems to be a universal agreement in the House that costs ought not to exceed the amount of present distress proceedings. The right hon. Gentleman said last night that the Schedule which I in Committee proposed dealt with fees only, and at the time I could not refer to a copy of the Schedule or a report of the proceedings, but I can assure the right hon. Gentleman he is mistaken.

*SIR M. HICKS BEACH: I have a copy of the Schedule here.

*MR. S. T. EVANS: With the proviso referring to the Schedule?

*SIR M. HICKS BEACH: Yes; referring to the Schedule where nothing but fees are set out.

*MR. S. T. EVANS: The right hon. Gentleman is not so conversant with the practice of the Courts as the Attorney General. The Schedule does deal with other matters. "In all proceedings for the appointment of an officer under Subsection 1 of Clause 2, if the sum does not exceed £5; 2s. 6d.; if the sum exceeds £5; 5s." There is not a word there about fees at all.

*SIR M. HICKS BEACH: But those are fees.

*MR. S. T. EVANS: Yes, but it does not say Court fees. Further, "For every day's possession, 2s. 6d." This is not a Court fee. You might as well say that a witnesses allowance is a fee. Then the Schedule must be considered in connection with the proviso, which governs its application; and my proviso ran—

> "Provided always that the total costs to be allowed to the tithe owner, in any case under Section 2, shall not exceed the costs specified in the Schedule of the Act."

I might also refer to the words used by the right hon. Gentleman himself in his speech in replying to me, in which he made use of the following terms: He had endeavoured to point out the objections to framing a Schedule of *costs*. "And again, there was a prospect of a long discussion upon questions of shillings and sixpences in a Schedule of *costs*;" and, in fact, throughout it must be in the recollection of Members that the discussion turned upon the question of *costs*, not of Court fees only.

*SIR M. HICKS BEACH: It is quite possible that I may have inadvertently used the word "costs."

*MR. S. T. EVANS: Well, the point is not worth elaborating. The proviso referred to the total costs, and it will be in the recollection of hon. Members that the discussion ranged over cost of various proceedings, notices, interrogatories, witnesses, solicitors, &c., and I would point out that if we are simply to have a Schedule of fees we are very little better off, for these fees in the proposed Schedule are not appreciably lower than the fees now are. It will be remembered, too, that in illustration I cited a case in which the amount in dispute being only 30s. the cost of witnessess was £11. I said witnesses in that case came from Brighton, and the Attorney General seemed to question whether witnesses would be required; and then it was shown there must be proof of title of the tithe owner, and proof of assessment, and that costs would be incurred by this means. Now, starting from the principle accepted, that so far as we can, costs shall not be heavier under the new procedure than under the old, let me point out that now you can only have the costs of distress, but under the new procedure you must incur greater costs to some extent, because there will be County Court proceedings before the distress takes place. That, however, is the framework of the Bill, and we cannot alter it. But I think it would be entirely against the spirit and intention of the House when this question of costs was left over to the "Report" stage that we should allow a set of rules to be framed and the costs of barristers, solicitors, witnesses to be left uncontrolled——

*Mr. SPEAKER: It is my duty to point out to the hon. Member that on a previous occasion, when an Amendment proposed by the President of the Board of Trade was under consideration—an Amendment to provide for the recovery of costs as well as the tithe in the County Court, an Amendment to this Amendment was proposed by the hon. Member for Camborne to the effect that the costs should be "according to the Schedule." The House negatived that proposal, negatived, therefore, the inclusion of costs in the Schedule; and I cannot, therefore, reconcile that negative with the proposal in the name of the hon. and learned Gentleman to include "total costs, charges, and expenses" in the Schedule.

*Mr. S. T. EVANS: With every respect for your ruling, Sir, may I point out that the word "costs," as they appear in that part of the Bill, refer to costs allowed by the Bill, and we are now discussing what those costs should be. In that case, the reference was general to costs allowed under the Act, and the costs were not specified.

*Sir R. WEBSTER: On the point of Order, may I remind the House that on the occasion to which you have referred the hon. Member for Camborne argued that the costs should be set out in the Schedule, and it was for the purpose of so including them that he moved his Amendment.

*Mr. SPEAKER: That was so. The question was whether there should be a Schedule of costs and fees, and upon that the House decided in the negative.

*Mr. S. T. EVANS: Then, Sir, I will say no more on the Amendment, but defer my remarks until we reach my Amendment of which I have given notice, if I shall than be in order in bringing it forward.

*Mr. SPEAKER: My ruling will apply to that Amendment, inasmuch as the hon. and learned Member proposes to leave out "fees" and insert "total costs, charges and expenses," or, in other words, to include in the Schedule that which the House has already negatived. The Amendment would be out of order.

*Mr. W. BOWEN ROWLANDS (Cardiganshire): If I may say a word on your ruling, Sir, I would observe that nobody supposed we were so arguing the question at any time as to exclude this point of costs from consideration when reached.

*Mr. SPEAKER: Of course, I have nothing to do with what may have been in the minds of hon. Members; I can only take the facts as I find them. It was the question that costs should be according to the Schedule that the House negatived, and I am bound by that decision.

*Sir M. HICKS BEACH: May I be allowed to observe, Sir, that I pointed out that this Amendment was one upon which the question might be raised.

Mr. RANDELL (Glamorgan, Gower): But are we excluded from debating the question of costs? We are now dealing with Court fees, letting costs stand quite apart. Are we excluded from debating costs? With all submission to your ruling, Sir, I would say I believe the House fully understood this question would arise on the Amendment of the President of the Board of Trade, and I feel sure the House will consider the Government have broken faith with the House if——

*Mr. SPEAKER: Order, order! That is apart from the point of Order. It would be out of Order to discuss the question whether costs should form part of the Schedule. (8.45.)

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.16.) Mr. LLOYD-GEORGE: I understand from your ruling, Mr. Speaker, that it would be out of order to include a scale of costs in the Schedule.

I do not know whether I should be in order in discussing, without going into figures and detail, the question whether that Schedule should cover costs as well as fees.

*Mr. SPEAKER: That is the point of Order I decided.

(9.17.) Mr. ARTHUR WILLIAMS: I understand, Sir, that the question of costs being part of the Schedule was disposed of on the Amendment of the hon. Member for Camborne. I venture to submit that if the Amendment now before the House is adopted, there is nothing that would preclude me from moving a proviso to follow it, which would deal with the total amount of costs to be recovered. The Attorney General shakes his head, but it is to you, Sir, I appeal, to decide the point of Order.

(9.18.) Mr. LLOYD-GEORGE: May I ask the right hon. Gentleman the President of the Board of Trade whether in the event of our agreeing to this clause without discussion, he would consent to re-commit the Bill with the view of discussing the Amendment of the Schedule so as to include the question of costs.

*(9.19.) Sir M. HICKS BEACH: I cannot agree to re-commit the Bill. The situation is this: I have moved the words on the Paper with regard to fees. The Schedule has been on the Paper several days, and hon. Members were well aware it relates to fees and not to costs. I understand the ruling of the Speaker to be that costs cannot be dealt with in the Schedule; but I should imagine it is possible for hon. Members to move Amendments expressing their views as to costs. It is not for me to express an opinion as to whether that would be in order or not.

*(9.20.) Mr. SPEAKER: My ruling was that the Schedule is exclusively a Schedule of fees, and the Schedule cannot be amended so as to include costs associated with fees. When the hon. Member for South Glamorgan asks me if he can bring forward the question of costs, I reply that he can bring forward an independent Amendment to the effect that the costs shall not exceed a certain amount. That will be in Order, but it cannot be included in the Schedule.

*(9.21.) Mr. S. T. EVANS: Would it be within our competence to add a second Schedule dealing with solicitors' and barristers' costs?

*Mr. SPEAKER: I should like to see the Schedule before expressing an opinion upon it.

Question put, and agreed to.

(9.22.) Mr. ARTHUR WILLIAMS: I beg to move the following proviso at the end of the last Amendment:—

> "Provided always that the total cost, including fees, chargeable against the tithepayer shall not exceed 5s. in the pound on the total amount recovered, and in no case shall exceed £5."

I was afraid, Sir, when I heard your ruling with reference to the Schedule on the Amendment of the right hon. Gentleman opposite, that we were by a misapprehension of the gravest kind, I would call it, precluded from discussing that which, from the point of view of the people of Wales, is the most important matter in this Bill. I apologise for intervening with this Amendment, and hope it will not preclude other hon. Members from dealing with the question of costs at a later stage of the Bill. I think, however, that this Amendment will meet the views of my Welsh colleagues. It will be in the recollection of the House that when the question of costs was raised in Committee it was discussed in considerable detail. As I understood, in response to objections and to suggestions from this side of the House, and after a very emphatic statement on the part of the right hon. Gentleman the Member for Bury (Sir H. James), an undertaking was given by the Government that they would deal with the question of costs in the Schedule. I may have been wrong—it may have been owing to my denseness and stupidity. I am not imputing bad faith to the Government. The question is a highly technical one, and the word "fees" and the word "costs" are very often interchangeable. My hon. Friend below the Gangway clearly has used the word "costs" in that double sense, though no doubt, technically, there is a broad distinction between the fees charged on entering upon a stage of County Court procedure and the costs as between attorney and client or party and party.

The Welsh Members quite understood that the whole question of penalty and costs to be imposed upon the unhappy tithepayer was to be considered by the Government, and that the result was to be put before the House in some way. I was never more amazed than when I found the Schedule on the Notice Paper. What does the Schedule come to? The Government might have saved themselves the trouble of putting it there, for it is simply a statement of the Court fees. Of what use is that to us? What are we gainers by it, except that we have a slight reduction of the Court fees? If you are going to use this Act in reference to the freeholders in the whole of Wales, let us realise what it comes to. I confess I am not familiar with the procedure which puts the receiver into the possession of the rents and profits of land, and, so far as I can make out, it is a process that is not very convenient under ordinary conditions. It has been imported into this Bill; but when I turn to the County Court Consolidation Act, I find that the method of procedure is a very unusual one, and that it involves a number of steps. First of all, we may assume that the occupying land owner is disinclined or unable to pay his tithe. Well, under the procedure we are about to introduce it will be necessary to go to the County Court. If the application be to the Court, you must have as many copies as there are parties, and one for the Judge, and these must be furnished to the Registrar. The application having been made, notices are served on all those who are concerned. This involves a certain number of fees. The cost of service of the summons or notice where the claim exceeds £10, I find, is 5s., and there may be three, four, or five persons on whom they have to be served. Is that charge included in the Schedule? No. Then come the solicitor's charges, and from the first to the last stage of this complicated and expensive process the costs may be heaped up to any extent without any safeguard on the part of the tithepayer. Looking at the scale of costs that may be dealt with, I have no hesitation in saying that, in order to obtain the appointment of a receiver where the sum of £10 is being sued for against a recalcitrant occupying owner, it would be possible to spend £10, £15, or even as much as £20 in costs. In fact, there seems to be no limit to these charges. The receiver becomes an officer of the Court and has to render all the accounts, and is thereby entitled to poundage and costs generally. It is, indeed, almost impossible to define the numerous ways in which costs may be piled up. We have it on the authority of the right hon. Gentleman the Member for Bury (Sir H. James) that the costs of the County Court are exceedingly high, and after that statement was made the Government told us they would not only look into the matter, but would arrange a Schedule that would give a fair scale. But how are they doing this? They have drawn up a scale which I unhesitatingly say will press very harshly on the poor tithepayer. This ought not to be, especially when we remember that the effect of this Bill will be to increase the value of the tithe at least 25 per cent. The present Prime Minister recommended in introducing a former Tithe Bill that, considering the increased security it would give to the tithe, at least one-fifth should be allowed in return to the tithepayer; but the tithe owners refused this, and that Bill was not proceeded with. By this Bill you not only give the tithe owner an easy debt-collecting machinery, whereby the payment of the tithe may be enforced, but you actually increase the value of the tithe at least 25 per cent., and to a large extent render it a saleable security, and yet at the same time, you propose to inflict a system of costs that will press with extreme harshness on the tithepayers as a body I think that when a machinery such as is provided by this Bill is put at the service of the tithe owner it ought to be put in motion at his own expense. The costs of County Court processes are admitted to be absurdly high, thereby inflicting an unjust tax on those who have to pay them, and the sooner these heavy charges are swept away, and the doors of our Courts of Justice are opened in such a way as to get rid of this shameful tax on the public, the better will it be for the country generally. But whatever the costs are I say this: that they should be borne by those who are acquiring by means of this Bill an enormous increase of property, and ought not to be imposed on the poor tithepayer.

Amendment proposed, at the end of the foregoing Amendment, to insert the words—

"Provided always that the total cost, including fees, chargeable against the tithepayer, shall not exceed five shillings in the pound on the total value recovered, and in no case shall exceed five pounds."—(*Mr. Arthur Williams.*)

Question proposed, "That those words be there inserted."

*(9.33.) MR. W. BOWEN ROWLANDS: It is contended on this side of the House that in imposing a new process for the collection of tithe the Government should take care that those who have to pay the tithe will not be put to greater cost than is incurred under the present system. This question was discussed in a tolerably full House when the Bill was in Committee, and, as has been stated, the right hon. Gentleman the Member for Bury agreed with us in saying that the Schedule of costs in the County Court at the present time was excessive. What, I ask, would have been the meaning of the arguments then employed if we were only considering the mere question of fees? And here let it be understood that I am not charging right hon. Gentlemen opposite with having consciously violated any engagements, although certainly from what occurred I should have thought they would have been disposed to have taken a more favourable view of the question, and to have adopted the moderate proposal now made by my hon. Friend. Under the old system of distraint nothing but the ordinary fees were chargeable against the person whose goods were seized, and it was in view of this fact, and of all the other considerations that have been brought forward, that the Government gave a pledge that the whole question should be dealt with in a Schedule. I cannot imagine how they can have supposed that we understood their promise in any other sense than that in which we have been discussing the matter this evening. Surely there can be no objection to their re-considering the question, and dealing with the entire matter of costs and fees in an amended Schedule. It is obvious, and has been fully admitted, that under the new and substituted process for the recovery of tithe the costs should not be more onerous than they have hitherto been; and I would appeal to the Attorney General to say whether it was not intended that the penal consequences to the tithepayer should not be increased by this Bill? Even assuming it to be right that the tithepayer should pay the solicitor's costs, he ought, at any rate, to know what those costs will be. I cannot understand what objection there can be to the framing of a Schedule from which a man may learn the extent of the costs to which he may be put in resisting a claim for tithe. I hope, therefore, the Government will see their way to the production of such a Schedule as will show the ultimate limit to which the costs in these cases may hereafter be carried.

(9.40.) MR. LLOYD-GEORGE: I think I am right in saying that hon. Members on this side of the House do not wish to deprive the titheowner of the legitimate costs he may incur in sueing for his tithe, and, therefore, we would not oppose any rational Schedule of costs. What we say is that the present Schedule of County Court costs is utterly irrational and highly oppressive. The vast majority of cases under the Bill will be undefended cases; but wherever a case is defended all sorts of intricate points relating to questions of boundary and law will be sure to crop up, and in such cases it is only fair that the tithe owner should have a proportion of the costs he may be put to; but it would be only right to adopt some such Amendment as that suggested by the hon. Member for the Gower Division, that in such cases we should not allow costs beyond the Schedule of the Bill. The House negatived that proposal, so that the present position is this: that whenever there is any legal point involved the Judge may certify that the point was in the public interest, and that the tithe owner should have his proper costs. But the cases to which the Amendment of the hon. Member for South Glamorgan is applicable are those in which there is no trial. In Wales there will be shoals of cases in which the tithepayer will protest against the payment of the tithe. These cases, when brought before the Court, will not be defended; there will be no intention of raising points of law. Why should a solicitor be employed in those cases? There is absolutely no necessity for one. Or, why should witnesses be called? Under the Schedule, if applied to undefended cases, a solicitor would be allowed to charge 6s. 8d. for preparing the proof of each witness; 5s. for every copy; and a fee for every brief, where, in fact, no brief is required at all, because there is no defence. I think it is a most offensive exercise to be made of the Act. In hundreds of cases in England the tithepayer cannot pay his tithe except only by instalment, and when summoned before the Court he states his willingness to pay by instalments of £1 a month. If this Schedule is allowed to stand in these cases all the costs to which I have referred would be incurred, though not in the slightest degree necessary. The other day I looked into the costs of an undefended case in the County Court. It was very well known that the case would not be defended. In fact, the only reason the defendant was in Court was that he could not pay, and he was asking for time. In this case the solicitor was allowed 13s. 4d., or 6s. 8d. for entering the case, so much for serving the summons, and so much for preparing the brief; and in this case, as in every case, it was within the power of the solicitor to give notice to defend. So that you may have undefended cases—I am not speaking of defended cases—in which the costs can be run up to £6, though the sum owing is only £20. I think this a most monstrous thing. Another strong argument is, that the costs in these cases should be circumscribed in a greater degree than in ordinary cases. As a rule, in Wales, these cases will be presented in batches of 40. To enter one involves little more expense and trouble than to enter the whole 40. Really the whole work could be done by the solicitor's clerk in a couple of hours. Yet the solicitor is entitled by the Schedule to run up a bill in these 40 cases of from £100 to £200. I venture to think that a separate Schedule should be given limiting the costs in undefended cases, unless, indeed, it is intended that the costs should be used as a means of crushing agitation. But in endeavouring to crush the agitation, it seems to me that you will also be oppressing the yeoman farmers of England, by the introduction of these costs and fees.

(9.48.) Mr. H. R. FARQUHARSON: I have not enjoyed a legal education, but I distinctly understood the Government to say during the course of this discussion that they would take care that the tithepayer was not in a worse position after the passing of this Act, especially with regard to this matter of costs. But now the Government are endeavouring to ride away on some ridiculous difference between fees and costs. To my mind, either one or the other is very much the same against the tithepayer, who is compelled to pay them. I venture to suggest to the Government that it would be wise to re-commit the Bill altogether, so that we might clearly understand what the Government does mean.

*(9.50.) Sir J. SWINBURNE: I do hope the suggestion coming from the hon. Member will be taken into consideration by the Government. We laymen, not learned in the law, look not upon legal complications, but upon the broad principle, that the tithepayer should be put in no worse position with regard to costs than he was before. Though I do not go so far as some of my hon. Friends below the Gangway, yet I know that those who look upon tithe as national property are prepared to accept a reasonable solution of this question of costs, and surely the proposition that they should not exceed 25 per cent. of the sum claimed is a reasonable one.

*(9.58.) Sir HUSSEY VIVIAN (Swansea, District): Sir, I have refrained hitherto from joining in discussions which appeared to be to me of a purely legal character. We have a strong bench of Welsh lawyers, which has enabled Welsh Members to take up a leading position in discussions on this Bill. I have always thought it undesirable for Members to speak in this House on questions which others know better than themselves. But here is a question which the lay mind is perfectly well able to grasp. I

think it would be unreasonable to refuse the request contained in the Amendment. How can it be justified that the costs may be 50, or perhaps 100, per cent. of the amount paid? Is that reasonable, is that just to the Welsh people? Surely it is desirable to pass an Act which will be regarded as just. If the Government refuse this limitation to 25 per cent. the Welsh people will consider that justice has been denied them. The learned Attorney General smiles. A lawyer may look at the matter from his point and a litigant from his; but I venture to suggest to the Government that, in the interests of justice, it would be well to allow this Motion to be carried.

*(10.1.) MR. S. T. EVANS: I should think the Government would be glad to seize an opportunity of fulfilling their pledge to give a Schedule of costs. The noble Lord the Member for Darwen dissents from that statement, but he is not the Government. This point has so far been argued from the Welsh point of view; but I would point out to hon. Members who are interested in the Eastern Counties that it equally affects the farmers in that district. There, as I understand, the farmers suffer severely from the agricultural depression; and I would ask, are they not the men most likely to go to the County Court in order to secure the advantage of paying the tithe by instalments? And yet it is the fact that, whether the case be defended or not, a solicitor will incur all the costs. At present no costs are allowed, either of solicitor or barrister, in recovering tithe by distraint. The necessary preliminary proceedings in the County Court will cost something, and that cost will be additional; but you are heaping upon them the costs of solicitor and counsel, which are not at present allowed. I maintain that it was clearly understood that the total burden in the way of costs imposed by the new procedure should be comprised in a Schedule, and yet the Government are now under cover of a strict technical difference between fees and costs, refusing to do so. I hope that the Government will re-consider the question, if they wish the Debate to be carried on in the same spirit in which it has been conducted hitherto.

(10.5.) SIR R. WEBSTER: I hope that nothing which falls from me will prevent the Debate being carried on in the same spirit; but I confess I think that the kind of spirit shown by the hon. Member for South Glamorgan, who said that the tithe owner should get nothing of these expenses, but use this improved machinery at his own expense, is hardly likely to promote a fair settlement of the question. I wish to appeal to the recollection of the House to say that there has never been one word said to justify the assertion as to the inclusion of costs in a Schedule. There was a suggestion that a maximum should be imposed; but I wish to call the attention of hon. Members opposite to the speech in Committee of the right hon. Gentleman the Member for Wolverhampton, who followed the right hon. Gentleman the Member for Bury, and supported his demand, on the ground that it was not a question between plaintiff and defendant but between the plaintiff and the Treasury. He stated that the Treasury were exacting in fees more than was necessary. That was, in the main, the argument which induced the right hon. Gentleman the President of the Board of Trade to agree to insert a Schedule. In language which was, perhaps, not so careful as it should have been, I expressed my own opinion that in an undefended case the costs would not exceed a few shillings, and in reply to me either the hon. Member for Gower or the hon. Member for Carnarvon quoted fees, and fees only. I took it down at the time, and the words may be found in *Hansard.* The hon. Member referred to the plaint fee of 1s. in the £1, and the hearing fee of 2s. in the £1, and he showed that in a case in which the claim was for £5 19s. 6d. the costs would be 18s. But I venture to submit that these fees have nothing whatever to do with the costs of solicitors or witnesses. It has been suggested not only that there should be a maximum, as proposed in another Amendment, but that individual costs in the County Court should be reduced. Costs, however, necessarily depend upon the number of witnesses, on the distances they have to travel, and on other circumstances. Hon. Members opposite, therefore, are under a misapprehension, and it is most remarkable that this notice having been down on the Paper for four or five days nobody has put down any Schedule purporting to deal with costs. The only Amendment on the Paper, that in the name of the hon. Member for the Eifion Division, proposes that there shall be a total percentage limit; but no one has framed a Schedule enumerating item by item the particular costs to be incurred. Taking a defended case, prior to this Bill the costs in an action of replevin, whether in the County Court or in the Superior Courts, would be five or six times as much as in the procedure under this Bill. In an undefended case, I admit the order of procedure would be that there would be small costs before distress, and then distress. As to distress, it is provided that the costs shall be the same as were payable under the Distress Act, 1888. There is no doubt as to the way in which costs in undefended cases ought to be dealt with, and the Government will take care that they shall be dealt with by rules of the Rule Committee. Under these rules the costs of employing a solicitor will not be allowed where no notice of defence has been given. If the tithepayer admits that he owes the money, a rule that no costs shall be allowed beyond the fees will meet the objections that have been made. I say this with the authority of my right hon. Friend the President of the Board of Trade. If the tithepayer admits owing the money no witnesses will be necessary, and the fees wholly or in part will be remitted. If witnesses are called in such cases, the tithe owner will have to pay for them himself. The only case which will not be met by these rules will be cases of strenuous defences, where the tithepayer goes into Court meaning to put the tithe owner to the expense of proving his case, although he knows that he owes the money. In all fairness and justice the moderate costs allowed under the Bill ought in such a case to be borne by the tithepayer. What is the proposal before the House? Is there anything more ridiculous than to say that the maximum costs, including fees, shall not be more than 5s. in the £1, when any one of the fees may in small cases of a few shillings exceed the proposed maximum? Such a proposal is not businesslike. It is the kind of suggestion which does very well for those who endeavour to pose as the friends of the poor tithepayer, but which really suggests a false standard, which would allow an absurdly excessive amount of costs in large cases and a ridiculously inadequate amount in the small cases. I hope that I have satisfied hon. Members that they are under a misapprehension, and that in undefended cases the costs will be strictly limited by the rules which the Government will have framed.

*(10.22.) MR. S. T. EVANS: It is not contended that in undefended cases solicitors' and barristers' costs are not now incurred; but will the hon. and learned Gentleman undertake that in such cases there shall be no legal professional costs under this Act?

*SIR R. WEBSTER: I am perfectly willing to undertake that the rules shall, in cases in which there is an admission of liability, prevent such costs being charged against the tithepayer.

(10.23.) The House divided:—Ayes 108; Noes 146.—(Div. List, No. 51.)

Amendment moved, in page 3, line 7, before the word "have," to insert the words "or of the County Courts Act, 1888."—(*Sir M. Hicks Beach.*)

Amendment agreed to.

*(10.36.) SIR M. HICKS BEACH: I beg to move the next Amendment which stands in my name.

Amendment proposed, in page 3, line 9, at the end, to insert the words—

> "And shall in any other case have no other or greater powers of fine or imprisonment than are conferred by the County Courts Act, 1888."—(*Sir M. Hicks Beach.*)

Question proposed, "That those words be there inserted."

*MR. S. T. EVANS: This is the Amendment which the right hon. Gentleman the President of the Board of Trade undertook to put on the Paper the other evening in place of one which I withdrew. I will explain why I put my Amendment on the Paper to restrict powers of imprisonment to Section 48 of the County Courts Act. On the 2nd of February I put this question to the Attorney General—

> "Is the Attorney General willing to confine cases of imprisonment to this one Section 48?"

The right hon. Gentleman replied as follows:—

"I am not aware that I ever said I desired to avail myself of any other section. I have never suggested by one word that there should be any liability except under this section."

*SIR R. WEBSTER: I beg pardon, but if the hon. Member will look back he will see that that answer was given in reference to a discussion concerning interference with the bailiff.

*MR. S. T. EVANS: It was a discussion on an Amendment moved by an hon. Friend of mine, dealing with imprisonment in general under the powers of this Bill. But there is one point on which I should like to have some explanation from the Law Officers. Everyone would desire that the power of the County Court to protect itself and its own dignity should remain intact. There are, however, in the 162nd section of the County Courts Act words relating to officers either going away from or coming to the Court. I should like to know whether, in the opinion of the Attorney General, those words have reference to the time the Court is actually sitting, or whether they would include the case of a bailiff going from his office armed with the warrant of the County Court to execute a process? If the hon. and learned Gentleman's answer to that question is not satisfactory, I shall ask the Government to insert the express sections in the Act, and I am not sure that in any event I shall not do so. The County Court is a Court of Record. [MR. ADDISON: Hear, hear!] I am glad that an hon. Queen's Counsel has found that out at last. It seems to have dawned quite freshly upon him. Is it not the case that a Court of Record has the power inherent in itself of imprisoning for contempt? We want to make it perfectly clear that no power to imprison outside the specific cases mentioned in the County Courts Act, 1888, is given to the County Court Judge.

*SIR R. WEBSTER: I have no doubt that "going to and returning from the Court" means going to and returning from the Court in which the Judge sits —not going to the place armed with a warrant. Again, power to commit for contempt in face of the Court is now controlled by Section 162. The other powers as to imprisonment are in Sections 48 and 50 and following sections, and they refer to jurors, bailiffs, and so forth. There was a case where a County Court Judge attempted to exercise some other power, and he was restrained. There is no power of the Court to exercise the power of imprisonment, except in the cases mentioned in the section of the Act.

Question put, and agreed to.

The following Amendment stood in the name of MR. A. WILLIAMS:—

In page 3, line 9, at end, to insert—"Provided that in no case shall a person charged with having committed any offence under the forty-eighth or one hundred and sixty-second sections of 'The County Courts Act, 1888,' be taken into custody by an officer or bailiff of the county court, or be brought before a county court judge, but the charge shall be inquired into by a court of summary jurisdiction. On such inquiry, the person charged shall be asked whether he will have his case summarily decided or tried by a jury. If he elects to be tried by a jury, and the Magistrates consider that a case for committal has been made out, he shall be committed for trial at the next quarter sessions."

*MR. SPEAKER: This Amendment is not in Order. The hon. and learned Member proposes an alteration of the County Courts Act in respect of Clauses 48 and 162. He proposes that anybody charged with contempt of Court shall not be tried by the County Court Judge, but shall go before a Court of Summary Jurisdiction, and, on appeal, shall have the right to a jury. The House has passed an Amendment to the effect that in the case of any second action or matter under this Act it shall be lawful for the plaintiff or defendant to require a jury to try the said action or matter.

MR. ARTHUR WILLIAMS: Am I to understand, Sir, that when these sections of the County Courts Act have been incorporated in this Act it is not competent for the House to modify the general law?

*MR. SPEAKER: Certainly not; because it is not applicable to this Act. The hon. and learned Gentleman refers to any officer of the County Court.

*(10.46.) MR. C. W. GRAY: The Bill contains three principal provisions: Firstly, the tithe rent-charge has in future to be recovered from the landlord only; secondly, tithe has to be recovered through the County Court; and, thirdly, there is the clause which by a misnomer is called a Relief Clause. I have always

contended that if we deal with cases where the tithe is out of all proportion to the value the landlord derives from the land from which the tithe issues, we ought to deal with them in a spirit of justice and fair-play. In my opinion, this House owes a long-standing debt to the tithepayers on this description of land. The debt was set up when the Corn Laws were repealed. That was the time when the tithe question ought to have been taken up by Parliament. Again, there has been a great change in local rating, and that charge has a great bearing on the point. At the time of the apportionment of tithe in 1836 it was found that during the seven previous years rates had been so high—in some cases 10s. and 15s. in the £1. In consequence, a large sum was added to the tithe apportionment to enable the tithe owner, after the passing of the Commutation Act, to pay the rates. My hon. Friend the Member for Dorset (Mr. Farquharson) in the very interesting pamphlet he has written on the tithe question, shows that in one case in which the tithe apportionment was £800 per annum, between £400 and £500 was added in respect of the payment of the rates. My hon. Friend shows, and no one has ventured to question his assertion, that since the passing of the Commutation Act a very much less sum than £400 or £500 in the case mentioned would have been sufficient to enable the tithe owner to pay the rates. In reality, the tithe owner has been saving, out of the sum which was added to the tithe apportionment to enable him to pay the rates, a very large sum, if not every year, at any rate during most of the years which have passed since the enactment of 1836. Under these circumstances, I have a right to claim that if relief is to be given by this Bill at all, it should be real and not illusory. The hon. Member for the University of Oxford (Mr. Talbot), who, I think it will be admitted, notwithstanding the presence of the hon. Member for Stockport (Mr. Gedge) is the leader in this House upon all matters connected with tithe and the Church, said on the 26th of January—

> "This Bill is essentially a Bill of compromise and conciliation. It is a Bill for the settlement of a long vexed question, and we can never settle any vexed question unless there is a certain amount of give and take."

I ask the hon. Gentleman if he can place his finger upon one part of this Bill which can be said to contain the principle of give and take, or to exhibit any spirit of compromise in the interest of the tithepayers. The hon. Member and his friends will not suggest for a moment that the give and take principle is to be found in the first part of the Bill, which transfers the payment of the tithe from the tenant to the landlord. Anyone who knows anything about the tithe question must admit that in that clause there is an invaluable concession to the tithe owners. Can the hon Member show me one word in the next part of the Bill—in that part which deals with the recovery of tithe through the County Court—which breathes of compromise in the interest of the tithepayers? If there is any give and take, it must be in this 3rd Clause to which my Amendment applies, and I ask the House to bear with me if I repeat one or two arguments I have used before. This clause puts the tithe question for the future in this position: Parliament in 1891, decides that the tithe owners' property from the land may be double that of the property of the landlord or the yeoman farmer. If I am asked whether I will accept this 3rd clause as a relief clause, I shall say no. Although, we have waited for years to get this question settled, I would ten times rather the question remained as it is than have it settled as now proposed. During the last few years, several Bills dealing with the tithe question have been introduced, and I think every Member of the House will agree with me, when I say that each Bill has been better than its predecessor. When we have concluded the consideration of this Bill, I think all fair minded men will, on examination, find that every Amendment accepted by the House has improved this Bill. That leads me to believe that as we go on, as Parliament becomes more and more acquainted with the technical questions relating to tithepaying in the Eastern Counties, and those parts of England where tithepaying has become such a grievance, we shall get a fair recognition of our just claims. If this so-called relief clause is passed, we shall be twitted on every platform, from Land's End to John O'Groats, with having dealt with the question in this way. A certain amount of relief will be given to a very limited number of large farms, but we shall be challenged to name one small farm of from 10 to 15 acres upon which there are buildings of any value which will come within the point of relief. I am very sorry that I have to take up this position to-night. I acknowledge most freely the courtesy with which we have been met by the President of the Board of Trade, but I feel I should be false to the promises which I gave to my yeoman farming friends in the Eastern Counties before I entered the House if I did not say on their behalf that we much rather the whole question of relief remained in abeyance than be settled on the suggested terms. We are to have a Commission to inquire into the question of Tithe Redemption. Why should not this question remain in abeyance until that Commission has reported? I am satisfied that when that Commission present their Report we shall be able to make out such a strong case for the small farms that Parliament will not dare to turn a deaf ear to our appeal. I have another very strong point in connection with my proposal. I may say with almost literal accuracy that there are not twenty Members in the House who really approve of this clause, or at least they have not expressed themselves in favour of it. We have had a number of speeches condemning the clause from all points of view. It has been condemned because it does not go far enough, and again, because it goes too far; but who are the Members who approve the clause I have failed to discover. I am sometimes accused of being a confiscator and I was twitted by the right hon. Gentleman the Member for Derby with being a greater robber than the Government, and thereupon he held out to me the right hand of fellowship. But now I ask the attention of the House to the wishes and recommendations of a most important meeting of tithe owners held in the county of Essex with the Rev. H. F. Johnson, Archdeacon of Essex, in the chair. A number of the clergy were assembled, and I am bound to say, judging from the report of the proceedings, they do not seem to have been a very happy family; but at any rate we are right in paying every respect to the resolutions passed at this important assembly of clergy, and one of the resolutions arrived at was that the whole of this third clause should be expunged. Now what will the Government do? Will that stalwart champion of the Church, the hon. Member for Oxford University (Mr. Talbot), assist in giving effect to the wishes of this assembly of clergy? They sent me this circular and, at last, I am happy to say that I am not only acting in accordance with the wishes of my own particular friends, the yeomen farmers of the Eastern Counties, but with the wishes of the clerical gentlemen who met at Chelmsford, and also with the wishes and request of a gentleman who has taken an active part in connection with the payment of tithe and this Bill, Mr. Lloyd of the Tithe-payers' Association. I regret to have to ask the House to eliminate an important part of the Bill, but still, the other two parts of the Bill will be just as valuable and just as workable.

Amendment proposed, in page 3, to leave out Clause 3.—(*Mr. Gray.*)

Question proposed, "That the words from the word 'where,' in line 22, to the word 'payable,' in line 26, both inclusive, stand part of the Bill."

*(11.5.) Sir M. HICKS BEACH: The first and second clauses of this Bill, as the House is aware, alter the present law with regard to tithe by transferring the direct liability for tithe rent-charge from the occupier to the owner. That has been felt almost universally by tithe owners to be a great benefit and advantage to them. I do not think that that is denied by my hon. Friend who has just spoken. There has been a general admission, I do not say a universal admission, for there have been a few exceptions, such as the resolution passed at the meeting to which my hon. Friend has referred, but I think there is a general admission from the

tithe owners that in return for this benefit and advantage something should be given to the tithepayers. That something has been embodied by the Government in the clause now under discussion. That has been loyally accepted by Members who represent more especially the interest of the tithe owners in this House, who though feeling—I know they feel—that perhaps it will be giving the tithepayers more than tithepayers are fairly entitled to, bearing in mind the settlement of 1836, are yet willing to support the proposal as a *quid pro quo* in return for the advantage to tithe owners gained under Clauses 1 and 2. That being so, this 3rd clause which does certainly give an advantage to tithepayers over the present law—I do not think my hon. Friend will deny that—is attacked because it does not give enough. That is my hon. Friend's position. My hon. Friend would have been content if the maximum amount of tithe had been fixed at half the value of the land instead of two-thirds.

*Mr. C. W. GRAY: A compromise.

*Sir M. HICKS BEACH: Certainly, if his Amendment had been carried he would not have moved the omission of the clause. But what is his action now? I recalled to his mind the old proverb, "half a loaf is better than no bread." I think my hon. Friend must have taken note how, during the course of his speech, he was cheered by hon. Members below the Gangway opposite. What is the position they have taken up in reference to this matter? I must say a rather inconsistent position, because in contesting the 2nd clause they have done their utmost to throw impediments in the way of recovery by the tithe owners of tithes justly due, and now when we come to deal with this 3rd clause they stand up as defenders of the tithe owners, and object to tithepayers receiving any relief. Therefore, if my hon. Friend succeeds in defeating the clause he will do it, not by the aid of those who agree with him, but by the aid of those who absolutely differ from him, and who, if they had their way through his aid, would take very good care his friends should get nothing

from the tithe owners. That would be the result of the success of my hon. Friend. I do not for a moment deny that if this 3rd clause is struck out it will to my mind amount to a very serious alteration of the Bill. But my hon. Friend must face the possibility of this Bill going on without the 3rd clause, and what then will he say to his friends and farmer constituents in Essex? Will he say, "The Government proposed that the tithe should in no case exceed two-thirds the annual value of the land, and that would have relieved some tithepayers; but I got that clause struck out, and now there will be no relief at all." I trust that hon. Members who desire to give some relief to tithepayers will not take what, with all respect to my hon. Friend, I must characterise as the ostrich-like view he takes; but although they may think the clause does not give tithepayers as much as they would desire, yet they will see that it is better than that there should be no relief at all.

(11.10.) Sir GEORGE TREVELYAN (Glasgow, Bridgeton): I take it that the hon. Member for Maldon knows very well what he means by his Amendment, and those who support that Amendment know very well why they do so. The argument of the hon. Member for the Maldon Division amounts to this—that there is no concession whatever in this Bill of the slightest value to the tithepayer. Last year a concession was proposed that would have been of real value, and not at all an excessive concession, of 5 per cent. all round.

*Sir M. HICKS BEACH: No.

Sir G. TREVELYAN: There certainly was a proposition that there should be a concession of 5 per cent. all round.

*Sir M. HICKS BEACH: That was not proposed by anybody last year.

Sir G. TREVELYAN: The year before, or previously, it does not seriously affect the argument. The concession of 5 per cent. in the original scheme would have been a very genuine alleviation to the tithepaying classes as against the very great benefit which the Bill confers on the tithe owner. All who are engaged in agriculture in this country, whether landlords or tenants, and still more so the yeomen farmers, are aware that something ought to be done to correct those serious cases in which the excessive payment of tithe is a hindrance to the due cultivation of the land; and no one who knows agriculture well can believe that the proposed relief in the Bill will affect more than one or two farms in many counties. What is the proposed relief? It is where under Schedule B the valuation of the tithe exceeds two-thirds of the valuation of the farm there is to be a reduction. But what is the expense of carrying on the work of an estate in this country? In old days the working expenses in agriculture used to be, on a large estate, something like 25 per cent. of the rent; but now-a-days, with the fall of rents, these working expenses have risen to 33 per cent. I speak generally, but from knowledge of a good many estates. Thirty-three per cent. is equal to a third of the rent, and the Government propose that when the tithe turns two-thirds of the valuation under Schedule B then the tithe shall be reduced; that is to say, the proposal of the Government is that no relief whatever shall be given until the tithe has eaten up the whole of the available rent of the land. To that no answer is given. That will be the case on large farms and large estates, but it will be very much worse on small farms, where buildings make a very excessive part of the valuation. On those farms where relief is most wanted the proposal of the Government will give no relief whatever. Hon. Gentlemen opposite who are concerned with the cultivation of land know perfectly well that in those serious cases where the tithe makes such inroads on the rent or profits from the land, cultivation cannot be carried on at all, or only on sufferance. This proposal gives no relief whatever, therefore it is, I conclude, that the hon. Member proposes to strike out this clause, feeling certain that it will relieve nobody. It is a sort of pretence of relief which the right hon. Gentleman says the tithe owners have accepted loyally, and well they may accept it loyally. On that account the hon. Member makes the most emphatic protest in his power against this sham, this illusory relief to the tithepayer, in a Bill which gives such relief to the tithe owner, by proposing to strike out the clause; and in the interest of sound and sincere legislation I shall certainly vote with him, and I trust every hon. Member who has the true interests of agriculture at heart will do the same.

(11.15.) MR. SYDNEY GEDGE (Stockport): The simple answer to the right hon. Gentleman's opening remark in reference to the 5 per cent. reduction is this, that it was a proposal made when it was suggested that tithe rent-charge should be a personal debt recoverable upon the whole estate of the landowners. There is nothing of the kind in this Bill, and, therefore, no reason for the reduction. As the clause was brought in I very readily voted for it, because it seemed to me to give temporary relief to both parties, a temporary reduction from the tithe owner, and a temporary relief to the tithepayer, which might bring into cultivation land which otherwise would fall out of cultivation. The clause is wisely framed in the interests of both parties. The clause then contained a sub-section which has since been struck out on the Motion of the hon. Member for St. Pancras (Mr. T. H. Bolton), a sub-section, having special reference to the 58th Section of the Act of 1836. Under the section a landowner in possession of different lands, upon the whole of which there was a tithe rent-charge of, say £200 a year, was permitted to put the whole of the tithe rent-charge upon a portion of such lands, providing such lands were worth three times the value of the tithe, or £600 a year, leaving the remainder of the land free. But even without that sub-section I think the clause ought to remain in the Bill on the general ground that the temporary giving up of a portion of the tithe due to the owner will assist in bringing land back to cultivation, and then in the future the tithe owner will be enabled to receive his full amount of tithe due to him.

*(11.18) MR. F. S. STEVENSON: It appears to me that the attitude of the

hon. Member for the Maldon division is one that does him a good deal of credit. The position in which he stands is this. Under the first clause it is admitted there is considerable advantage to the tithe owner, because henceforward he will recover his tithe in a single cheque instead of in a number of small cheques with all the inherent difficulties of collection. It is also admitted that under the second clause a great advantage is given to the tithe owner on account of the more stringent means of recovery placed at his command. Under these circumstances, with these two points admitted, the only question remaining is whether in compensation for these advantages to be conferred on the tithe owner there is to be any benefit to the tithepayer. Now the contention of the hon. Member for Maldon appears to be that under Section 3 of the present measure you are conferring on the tithepayer a visionary and theoretical advantage which will be of no real benefit. Under the circumstances I hope the hon Member will not be content with an academic protest, but will go to a Division on the point. It is a question which excites the deepest interest among all concerned in the cultivation of the soil, and more especially among yeomen farmers, to whom the clause can only give relief in an infinitesimally small number of instances. I question whether throughout the whole of Suffolk the clause would give relief to two small farmers. The same might be said of the counties of Berkshire and Essex, where in typical cases brought forward this clause will effect no reduction, though some benefit might be effected by the alternative proposal of the hon. Member for Maldon. Even that Amendment if carried would have effected in a very small degree any alleviation of those grievances for which a remedy is only to be found in a revision of tithe. Under the circumstances, I think that every hon. Member who is concerned with agricultural interests should go into the Lobby with the hon. Member for Maldon as a protest against this pretence of reduction, which is really no reduction at all. If this clause is struck out I hope it will leave the way clear next year, or the year after, for more definite and complete proposals based to some extent on evidence brought before the Royal Commission, over which it may be assumed Lord Basing will preside.

*(11.23.) Mr. J. G. TALBOT (Oxford University): I must draw attention to the curious anomaly which presents it self on this almost the final stage of the Bill. This clause we are now discussing and which my hon. Friend the Member for Maldon wishes to excise, is the only relief to the tithepayer in the Bill. The other two clauses are in the interest o the tithe owner, the hon. Member says and I do not deny that. This clause is by the admission of the hon. Gentleman the Member for Maldon the only relief clause in the Bill, but he now says it is illusory. Having allowed the 1st and 2nd clauses to pass without protest, the hon. Gentleman now asks the House to excise the only clause which conveys any relief to the tithepayer. I should have thought it impossible that any friend of the farmers could make such a proposal. If any intelligent farmers have listened to the hon. Gentleman they will find it difficult to support the hon. Member's peculiar position. From my right hon. Friend the President of the Board of Trade we have heard the position clearly put, and I should not have risen but for the hon. Member's allusion to myself. My hon. Friend said that I, in a previous stage of the Bill, spoke of the Bill as a compromise —a Bill of conciliation—a Bill of give and take. I repeat that now, and I say that as the first two clauses place the property of the tithe owner on a more satisfactory basis than before, so this clause, I believe, is a concession to the tithepayer. My hon. Friend says it is a concession hardly worth having, but at any rate, it is better than no concession at all, and if it is worth anything, my hon. Friend had much better accept it. The hon. Gentleman opposite (Mr. Stevenson) suggests that if the clause is refused now something better may be secured a year or two hence, but when the hon. Gentleman has had such a

length of Parliamentary experience as I have had, he will not expect that a subject which has been five times before Parliament in recent years, and has occupied so much time, will be likely soon to be taken up again. If my hon. Friend thinks the concession to the tithepayer is worth anything at all, he will do well to accept it; however small the concession it is better than none at all.

(11.26.) MR. H. R. FARQUHARSON: I have no hesitation in saying that I shall vote for the omission of the clause, and for the reason that I believe it absolutely contains no concession to the tithepayer. The right hon. Gentleman says that a half a loaf is better than no bread, and I accept all the wisdom of the proverb, only here I do not see the half-loaf. It is said that the object of this so-called concession is to induce the landowner to keep his land in cultivation for the benefit of the tithe owner. How can that be called a concession to the tithepayer? The noble Lord (Lord Cranborne) says, the only good reason for revision of tithe is to keep the land in cultivation, for it is directly to the disadvantage of the tithe owner that the land should go out of cultivation. Again the hon. Member for Stockport (Mr. Gedge) says this proposal will no doubt for a time reduce the amount of the tithe on certain lands, but the reduction would in many cases lead to the full tithe being paid in future years. In other words hon. Members who have spoken on behalf of the tithe owner have made no secret of their real opinion, that this clause contains no concession to the tithepayer.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): The hon. Member is not quite right as regards what I said. I stated that I thought the Government had gone too far, and that the only defensible ground for action of this kind was to prevent land going out of cultivation.

MR. H. R. FARQUHARSON: At all events, the noble Lord is of opinion that it is directly to the disadvantage of the tithe owner that the land should go out of cultivation, and the right hon. Gentleman the President of the Board of Trade has told us that the object of this so-called concession is to keep the land in cultivation for the benefit of the tithe owners. That bears out my statement that there is no real concession in this clause. The tithepayers have claims upon the tithe owners for some concession. One of those claims is based upon the question of the corn averages. The amount of tithe payable is based upon the average price of British grown corn in the English market. It does not, however, pay the farmer to send in inferior samples of his corn. Only the best samples are sent in, and the result is that the corn average, and consequently the tithe average, is based upon the picked samples of the year's crop. In this way you get a fictitiously high tithe average. Reference has already been made to the question of rates. At the time of the passing of the Tithe Commutation Act the Tithe Commissioners were instructed to award to the tithe owners such a sum for the future as would equal the nett value of their receipts on the average of the previous seven years. In some cases the Commissioners added to the tithe a sufficient amount to enable the tithe owner to pay the rates, but as the rates were very high at that time the average amount added to the tithe in this respect was 10s. in the £1. Immediately upon the passing of the Tithe Commutation Act the new Poor Law came into operation; down went the rates, and ever since then the tithe owner has had the advantage of having a sum awarded to him equal to 10s. in the £1, although the amount of rates he is called upon to pay does not exceed 2s. in the £1. These constitute distinct claims which the tithepayer has upon the tithe owner. The only bargaining power the former has had in his hands is now being taken away by the Government without compensation. And not only do the Government take away the tithepayer's bargaining power, but they impose a very heavy fine of extra costs upon him, and compel the landlord to become the collector for the tithe owner. The hon. Member for Wigan (Mr. F. S. Powell) told us a few nights ago that in Yorkshire the tithe was so small in hundreds of cases that it was not worth while to collect it. Therefore you are imposing upon landowners the duty of collecting sums which the tithe owners in some cases have not thought it worth while to collect.

Then we have this instance—I do not like to say of bad faith—with regard to the buildings: When the Tithe Commutation Act was passed it was argued that the landlords would lay out their money more freely if the tithe owner had no claim upon the extra value imparted to property in consequence of increased expenditure on buildings. On the faith of the understanding then come to, money has been spent on buildings all over the country. Now you are providing that the tithe owner may take into the valuation buildings which have been put up by the landlord. This clause contains no concession whatever to the tithepayers. I would remind the House that the President of the Board of Agriculture (Mr. Chaplin) has made no remarks whatever upon the Bill, nor has the Secretary to the Local Government Board (Mr. W. Long), a gentleman whose opinions on agricultural matters are much valued. I can only say that their silence on this matter is much more eloquent than any speech they could possibly make. For my part, as the representative of a constituency largely composed of tithepayers, I must decline to accept this so-called concession, which is no concession at all, and I shall vote for the omission of the clause.

(11.36.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The hon. Member who has just sat down, and some others, have so often alluded to me in the course of this Debate that I wish in one sentence to say why I support this clause. Whether the concession made by the clause be great or small, the Bill is undoubtedly more favourable to the tithepayer than it would be without the clause. After what has been said with such admirable clearness by my right hon. Friend the President of the Board of Trade (Sir M. Hicks Beach) on the point, I do not think it is possible to dispute it. It is a matter of great surprise to me that representatives of the agricultural interest are about to oppose the clause. If I were still sitting in the place which I formerly occupied below the Gangway, and had to choose between the retention or omission of this clause, I should most unquestionably vote for its retention.

(11.38.) The House divided:—Ayes 170; Noes 109.—(Div. List, No. 52.)

Amendment proposed, in page 3, line 26, after the word "payable," to insert the words "exclusive of any costs incurred in the recovery thereof."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, withdrawn.

(11.52.) MR. LLOYD-GEORGE: I beg to move, in page 3, lines 26 and 27, after the word "exceed," to leave out the words "two-thirds of." By this Motion I propose to restore the clause to the shape in which it stood in the two or three original Tithe Bills of the Government. Under those Bills power was given to the County Court to inquire whether the tithe exceeded the annual value of the land, and, if it did, a remission was given to that extent. Why the Government have backed out of that position I cannot understand. The position of the Prime Minister in the House of Lords was that he was anxious that the land should not be driven out of cultivation, and that would be the case if the tithe was in excess of the annual value. The moment the tithe is reduced so as to be on a level with the actual value of the land, there is no fear of the land being driven out of cultivation, and why the Government propose to go beyond that I cannot understand, unless it be for the purpose of bribing the landlords of the country to accept this measure. Something has been said about a *quid pro quo*, but there is nothing of the kind—there is no consideration given to the tithepayer. In the first clause of the Bill it is provided that the burden of paying the whole tithe shall be thrown on the landowner, even though there be a contract to the contrary. That means that 25 per cent of the value of the tithe is taken out of the pockets of the landowners, and transferred to the pockets of the tithe owners. It is stated that under this section one-third of the value of the tithe is taken out of the tithe and put into the pockets of the landowners as a sort of consideration for what they have been deprived of in the first section; but, as the hon. Member for Maldon has amply shown, this section will only apply to a very few instances, and in 99 cases out of 100 the landowner will be deprived of £2 per cent. of the tithe by having the burden of collecting it thrown on him, and will only get 15 per cent. in return. Why should one-third be taken from the tithe and put into the pocket of the landlord under this clause? Land in Wales is much inferior to land in the Eastern Counties; the tenants have to pay 15s. or £1 an acre for it, and they have to pay heavy railway rates to get the produce to market, and are then supposed to compete with the farmers in the Eastern Counties. If land is driven out of cultivation in the Eastern Counties it is often the fault of the landlords themselves. Why is land in the Eastern counties at present uncultivated? It is because the policy of large farms has been adopted. Small holdings, on the other hand, can be cultivated at a profit. I know a farm of 200 acres which could not be cultivated so as to make even the tithe; but the owner let it to labourers in small holdings at £2 an acre, and they are making an excellent thing of it. I do not see why bad landlords who have mismanaged their land and starved the tenants out of their holdings should receive one-third of the annual value in order to induce them to accept the Bill, whilst good landlords who manage to keep their tenants on the farm, and keep them in a tolerably good condition, get nothing but the burden of 25 per cent. cast on them by the Bill. The Government have introduced so many and so contradictory Bills, that I cannot understand why they should be in such a difficulty with regard to this. The arguments which have been used in support of one Bill can always be effectually quoted in favour of its successor. The noble Lord the Member for Darwen who represents the clerical party in this House, and who acted as a sort of adviser to the Government in this House, pledged himself against diminishing the interests of the clergy, yet now he is found marching through the Lobby in favour of reducing that very interest by one-third. I should like to know the reason why hon. Gentlemen opposite change their minds, and why they should treat as dishonest in 1890 that which they accept as honest in 1889. Is it that they are ready to sacrifice to political and party expediency that which they will not sacrifice in the interests of the community at large? Another Member who has always supported the interests of the clerical party is the hon. Member for East Bradford (Mr. H. Byron Reed). That hon. Member has not been so constant in his attendance since the reduction by one-third. When speaking in support of the Bill of 1889, the hon. Member for East Bradford, after expressing a sort of sentimental sympathy for the tenant farmers, said—

> "That a contract is a contract, an agreement is an agreement, and that the bargain between the land owners and the tithepayers in 1836 must be adhered to, and the tithepayer must be prepared to take the rough with the smooth."

In 1891 the hon. Member opposes that view by voting for the reduction of the tithe property by one-third. I submit that that is grossly inconsistent. What becomes of the charges of confiscation? We are continually reminded about the Ten Commandments, and about the necessity of inculcating the decalogue among Radical Members of this House. But to apply the Ten Commandments to the tenant farmers of Wales is to be told that we intend to rob the Church. It is a very different thing when the landlord takes his one-third. Then the Ten Commandments are entirely forgotten. They are not a question of ethics, but a question of objects altogether. They have rolled the Ten Commandments into one: "Thou shalt keep thy contracts," and there the "thou" is to apply to the occupier, and is not to tend to the landowner by any means whatever. From whatever point of view we regard this, whether from that of the clerical tithe owners as one class of the community, or of a class which does nothing, or of my hon. Friend the Member for Leicester and others, who regard this as national property, I submit that there is no reason at all why we should rob the whole country for the sake of a few landlords.

Amendment proposed, in page 3, line 26, to leave out the words "two-thirds of."—(*Mr. Lloyd-George*).

Question proposed, "That the words 'two-thirds of' stand part of the Bill."

*SIR M. HICKS BEACH: As this question has been discussed at length more than once, I hope hon. Members will not think it necessary to discuss the decalogue, political morality, and the respective merits of large farming in Essex and small farming in Wales. The object of the clause is to secure to the owner of the land something which will give him sufficient interest in the land to keep it in cultivation. That cannot be fairly called robbing the owner of the tithe, because it is his interest as well as the landlord's that the land shall be kept in cultivation.

*(12.12.) MR. BYRON REED (Bradford, E.): I should not have intervened in this Debate, but for the observations which have been made with regard to myself personally. There was not a grain of argument in the mass of rhetorical chaff which the hon. Gentleman addressed to the House. As far as the rhetoric went, it was to the effect that there was a discrepancy between this Bill and previous Bills introduced by the Government—a discrepancy against the tithe owner and in favour of the tithepayer. That is to say, the hon. Member complains of the Government having, under great pressure, made concessions to the party which he represents. For those concessions hon. Members opposite now prove themselves ungrateful, and I venture to think that the Front Bench on this side of the House should take note of the way in which their efforts at conciliation are received by hon. Members on the other side.

*(12.14.) MR. S. T. EVANS: Sir, I had not intended to speak until the hon. Member addressed the House. I am rather sorry that he has not been able to grasp the argument of my hon. Friend which was clearly stated. His argument was not that the Government was inconsistent, but that the hon. Member had swallowed the principles he previously professed. Two years ago the hon. Member for East Bradford proclaimed the sacredness of contract, that a bargain once made ought never to be changed. Now the hon. Member is a supporter of the Church, while we on this side regard tithe as national property which we object to see whittled down. The hon. Member, however, though champion of the Church, is really, for party purposes, making ethics dependent upon objects, and he is going to rob the present holders of tithe of one-third of their property to put it into the pockets of the landlords.

(12.15.) The House divided:—Ayes 146; Noes 76.—(Div. List, No. 53.)

(12.24.) MR. LLOYD-GEORGE: I now beg to move in page 4, line 7, after Sub-section (2) insert—

"For the purposes of this section the owner of tithe rent-charge shall have the same right of appeal as the owner of lands, whether under the enactments relating to the said assessment or under this section."

*SIR M. HICKS BEACH: There is no objection to that.

Amendment agreed to.

Amendment proposed, in page 4, line 14, after Sub-section 3, to insert the following sub-section—

"If either the tithe owner or the owner or occupier of the said lands is dissatisfied with the said assessment, he may appeal to the county court for the district in which the said lands are situate, and the county court may, after such service upon the owner and occupier of the said lands and the said surveyor of taxes as may be prescribed, appoint a valuer to determine such annual value, and his valuation shall be final upon the matter."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: I hope the hon. Member will not press that Amendment, as it is not possible that I can accept it, as it would entail a double hearing, and would afford no advantage over what is already provided for.

MR. LLOYD-GEORGE: Then I will ask leave to withdraw this Amendment, but I hope the right hon. Gentleman will accept the Amendment which stands next upon the Paper.

*SIR M. HICKS BEACH: I shall be able to accept it with a slight modification, which I will explain when it is moved.

Amendment, by leave, withdrawn.

Amendment proposed,

In page 4, line 17, after Sub-section (4) to insert the following sub-section:—"Where a special apportionment has been made in pursuance of Section 58 of 'The Tithe Act, 1836,' whereby tithe rent-charge has been charged specially upon certain closes of land in different proportions, and to the exclusion of certain of them, the court shall not grant a remission under this section unless satisfied that the applicant would have been entitled to such remission if no such special apportionment had been made."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: I propose to insert words which will make the sub-section more clear, and will obviate the extensive litigation that might otherwise arise. I would, therefore, amend the proposed Amendment by adding in the first line, after the word "where," the words "It appears from any award that."

MR. LLOYD-GEORGE: I will accept that Amendment, which I think is very reasonable.

Amendment to proposed Amendment agreed to.

Amendment, as amended, agreed to.

MR. LLOYD-GEORGE: I do not think that the Amendments already accepted by the Government give a right of appeal in any action or matter arising out of the recovery by distress of tithe rent-charge, and I certainly cannot understand why any distinction should be drawn between an action in the first instance and one arising out of distraint. I have no doubt there will be several actions involving very complicated points of law, and I think this section will become inoperative unless the words I suggest are added.

Amendment proposed, in page 4, line 27, after the word "Act," to insert the words "or in any action or matter arising out of any proceedings for the recovery of tithe rent-charge under this Act or the Tithe Acts."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*(12.33.) SIR R. WEBSTER: It is impossible to accept the Amendment. No new jurisdiction is being created which will necessitate the Amendment, and the ordinary rules of appeal will apply in cases which do not arise under this Bill. The principle the Government act upon is this that, except in cases of new jurisdiction, matters shall be left as they are. This Amendment would alter the County Courts law in respect of actions of replevin, simply because they may arise in tithe cases. I hope the House will at once decide this point and not further discuss it.

(12.34.) The House divided:—Ayes 68; Noes 141.—(Div. List, No. 54.)

(12.45.) MR. T. M. HEALY: I beg now to move the adjournment of the Debate. Seeing that to-morrow the House has to meet to discuss the marriage with a Deceased Wife's Sister Bill, there is no reason why the officers should be detained here longer to-night. We know that the Government have power to put this Bill down whenever they choose. There are still some important matters relative to costs to be considered, and I think in the extra two hours they will have to-morrow for attending church, they would do well to try and agree to some reasonable arrangement.

Motion made, and Question proposed, "That Further Proceeding on Consideration, as amended, be now adjourned."—(*Mr. T. M. Healy.*)

*(12.46.) SIR M. HICKS BEACH: I hope the hon. Member will not press this Motion. There are only two Amendments remaining on the Paper, and for some little time past the discussion has been proceeding in a spirit which shews the desire of hon. Members to arrive at the conclusion of this stage. I am endeavouring to meet their wishes so far as I can, and may I point out that if the Report of the Bill is finished to-nigh there need be no further interference with the rights of private Members.

*(12.47.) SIR J. SWINBURNE: I think the Government ought to grate-

fully accept the proposal of the hon. Member, as it will afford them time to reconsider their position, for considerable confusion appears to prevail in their minds on several points which we have had to discuss at great length. If the Bill were re-committed some Amendments might be introduced with very great advantage.

(12.48.) MR. LLOYD-GEORGE: There are two Amendments which I am afraid it will take some time to discuss unless the Government give us an undertaking with regard to the costs. I understood the Attorney General to pledge himself that a rule shall be made securing that in undefended cases no solicitors' costs whatsoever shall be charged. Will the hon. and learned Gentleman agree to incorporate such a rule in a clause in the Bill? Of course I do not doubt that he will adhere to his undertaking, but I want to point out that when the rules come up for discussion we cannot deal with them in detail: we shall have to accept or reject them as a whole. But if the hon. and learned Member will insert this particular rule in the Bill I think we can complete the Report stage to-night.

*(12.50.) SIR R. WEBSTER: If the hon. Member wishes to have on the face of the Bill the fact that rules, dealing with undefended cases, will be made I have no objection. But I think my undertaking ought to have been sufficient, for it is a most unusual practice to put, say, half a dozen rules on the face of an Act of Parliament. The words of the rules which I have read are clear, that the costs of employing a solicitor will not be allowed in any case in which no notice of defence is entered and in cases in which there is such notice they will only be allowed for work done subsequent to such notice. Again, witnesses' costs will not be allowed in any case where the tithepayer has not given notice of defence.

*(12.51.) MR. S. T. EVANS: As the question of costs was raised upon my Amendment, I may perhaps be allowed to point out that if such rules are put in the Bill they cannot be altered without the Bill being repealed; but if they are not so incorporated they might be changed in a few months. For this reason I shall be glad if the Attorney General will agree to the incorporation of the Rules in the Bill.

*(12.52.) SIR M. HICKS BEACH: It shall be done.

MR. T. M. HEALY: Move.

*SIR M. HICKS BEACH: It can be done in another place.

MR. LLOYD-GEORGE: Under these circumstances, I do not propose to move the remaining Amendments on the Paper.

MR. T. M. HEALY: And I, of course, withdraw the Motion to adjourn the Debate.

Motion, by leave, withdrawn.

Schedule brought up, and read the first and second time, and added.

Bill to be read the third time upon Thursday.

FACTORIES AND WORKSHOPS BILL.

On Motion of Mr. Secretary Matthews, Bill to amend the Law relating to Factories and Workshops, ordered to be brought in by Mr. Secretary Matthews, Mr. Ritchie, and Mr. Stuart-Wortley.

Bill presented, and read first time. [Bill 205.]

GLEBE LANDS (SALES).

Return ordered—

"Showing the Sales of Glebes under 'The Sale of Glebes Act, 1888,'" (in continuation of Parliamentary Paper, No. 89, of Session 1890)."—(*Mr. Shaw Lefevre.*)

ELEMENTARY TEACHERS' SUPERANNUATION.

Ordered, That a Select Committee be appointed to consider of the best system for providing for the Superannuation of Public Elementary Teachers in England and Wales.—(*Mr. Talbot.*)

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, 11th February, 1891.

Mr. SPEAKER took the Chair at Two of the clock, but a House was not made till 2.50.

ORDERS OF THE DAY.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 9.)

SECOND READING.

Order for Second Reading read.

(2.50.) MR. J. KELLY (Camberwell, N.): This Bill has been before the House so constantly, and the arguments that have been used on the one side and the other are so worn and threadbare, that I do not feel it necessary on this occasion to trouble the House at any great length with what I have to advance in its favour. I may say, however, in reference to the particular measure for which I now ask a Second Reading, that the proposal it contains has year by year more and more obtained the favour of this House, until some two or three years ago its supporters achieved a greater majority in favour of the Bill than was ever before known under a Conservative Administration. That majority rose in the following year to 50, and was still further increased in the succeeding year to 70. I think, therefore, that hon. Members who support this measure have ground for congratulation in the fact that year after year the opposition to the Bill has become more and more feeble. The mode by which it is proposed to alter the present law is that which has been put forward over and over again in the measures introduced to this House, and amounts simply to a declaration that a marriage which has long been, and is still, very common in this country shall be declared valid in the only country in the world in which it is not valid at the present moment. We acknowledge that the question is one on which there may be, and undoubtedly is, great divergency of opinion, and we do not desire in rendering these marriages valid to do violence to the feelings or prejudices of anyone. Still less do we wish compulsorily to override the scruples which we know to be entertained on this subject by the great majority of the ministers of that Church to which most of us belong. Consequently, while we urge that those of our brethren who wish to contract these marriages should be allowed to do so in their own Churches, as every son and daughter of the Church ought to be permitted to do, we nevertheless shrink from attempting in any proposal for altering the existing Marriage Law to put pressure on the ministers of the Church by insisting that they shall take part in these marriage ceremonials. The other portions of the Bill relate to matters with which the House is already familiar. For instance, we decline to alter the law in cases of misconduct with the sister of the deceased wife. Taking the Bill as a whole, it is as short and simple as any measure on this subject could well be. Having said this, I will now offer a few words in reference to the history of this question. Hon. Members are well aware that for centuries marriages of this kind were perfectly legal in this country. At any rate, from 1603 down to 1835 these marriages were constantly celebrated in all places of worship throughout this country; and there can be no doubt about the fact that this House, and even the opponents of the Bill, have recognised their validity, because, when the Act of 1835 was passed, it was enacted that all marriages up to that date should be considered valid and legal contracts of marriage. Therefore, even the opponents of the Bill can hardly contend that there is anything unnatural in the measure. I think that the law would never have been altered in 1835 had it been possible to have found any person who was interested in maintaining it. Of course, when every marriage which up to that time had been solemnised was declared to be legal, there was not a single individual who could have had any direct or indirect interest in the marriages of the future. Consequently, that Act was passed under circumstances which rendered opposition almost impossible. Nevertheless, I think that the law which existed before the passing of that Act was to some extent unsatisfactory, and that we should not at the present time be justified in going back to it; inasmuch as it was open to either of the contracting parties to terminate the contract. This gave the opportunity to a bad man who had married his deceased wife's sister to contract a third marriage with somebody else, thereby conferring the rights of legitimacy upon a stranger and her children during the lifetime of the second wife and of the children he might have had by her. But we do not ask in this Bill merely a recognition of the legality of the marriage with the deceased wife's sister; we ask for something more. We ask that the marriage shall not only be valid as between the parties but that it shall be valid also as against the whole world. This is the difference we ask the House to sanction as between the law before 1835 and the law as it now stands. I would here point out that these marriages are celebrated at the present moment, and have been celebrated for years, under the sanction of the English Law, in this sense—that the English Government, under the sanction of the Crown, has assented to the Colonial Law which has made all these marriages legal. This has been the case for more than a quarter of a century, and as it is one of those cases in which the Crown has reserved to itself every sort of right, no alteration could have been made in the Marriage Law of the colonies without the express sanction of the Crown. The opponents of the Bill know, as well as I do, that this kind of marriage is in all our colonies as good as any other. Throughout the whole of the Continent of Australia no difference is recognised or known in either colony as between these and other marriages; and, beyond this, there are other colonies in which such marriages have been legalised for more than 40 years. A law validating marriages with the deceased wife's sister in Ceylon was passed in the year 1847. A similar law has been enacted in Canada, Barbadoes, Bermuda, and other portions of our Empire, while in India, except as far as the Church of England people are concerned, the law is practically what it is in the Australian Colonies. It is an acknowledged fact that while every man in India who happens to be a Roman Catholic may validly contract this marriage, it is not valid in the case of a Protestant. This, I think, is the difference which is not very creditable to us. I have said that these marriages are valid in all our colonies; but I will go further than that, and say they are valid throughout the entire civilised world, this country being the only one which treats them as no marriages at all, and brands the children of such marriages as bastards. In the case of the Roman Catholics it is true that this kind of marriage is against the Canon Law of their Church; nevertheless, the Roman Catholic Church has long recognised the necessity of such marriages, and the heads of that Church have always been willing to grant dispensation whenever any good or sufficient reason has been advanced in favour of their so doing. Moreover, the Church has not only granted dispensations in this matter, but it has also granted them habitually where there has not been immorality, and they have been granted free of charge, under the idea that the poor have more need of these marriages than any other class of the community. Now, Sir, I venture to assume, and I think rightly, that the great majority of the people of this country are in favour of the alteration of the law which this Bill would bring about. I think I may say that our colonial brethren not only look with approval on such a change as we propose, but they demand, and have a good right to demand, it. There have been instances in this country of distinguished men who have come back from the colonies after having contracted these marriages, and who having found, to their bitter indignation, that their wives have been treated with contumely and contempt, have returned to their old homes in the colonies, severing all ties with England, in order that those wives might hold the position which was their due, and that their children might not be branded with the frightful stigma of illegitimacy. Touching upon another point, I would remark that there is no class of people in the world in which there is more unanimity of opinion in favour of this Bill than exists among the working class, and I may add that there is no direct representative of labour in this House who ever has, or ever will, vote against this Bill. At the recent Trades Union Conference held in Liverpool some persons interested in the subject took the trouble to ascertain the views of 450 delegates, male and female, representing a million and a half of working people, on this question of the Marriage Law, and it is a singular testimony in favour of this measure that out of the whole number of delegates only one solitary individual was found who was opposed to the change we are asking the House to make. The infinitesimal number of eight expressed themselves as having no strong views upon the subject either way, and the remainder were in favour of our Bill. I think I may fairly rely upon this fact as furnishing sufficient evidence that the working classes generally look upon the measure at least with approval. Indeed, I think it would be strange were it not so, because the alteration we propose in the law is one that will prove of vital importance to the poor, in the sense of its being a step towards the removal of a legal restriction which operates in one way with the rich, and in a totally different manner with the poor. I may here say that I have myself no personal interest in this matter. I do not know a single living person who has contracted such a marriage. But I have heard of one who contracted the marriage, and who was subsequently High Sheriff of his county, and who, with his wife, was received everywhere, as if the marriage was the same marriage as that which he had contracted with his first wife. I have known cases in which at school the children of poor parents who had contracted such marriages, were pointed at by other children and called bastards. I say the law is one for the rich and one for the poor. The rich man may go—and it not unfrequently happens—abroad, or to any one of our colonies, and contract such a marriage, but when the poor man desires to celebrate the marriage the clergy absolutely refuse him. Consequently, if the poor man does marry his deceased wife's sister, it is looked upon as a mere form. We of the middle classes make no sort of distinction between the second and first wife in these cases, and there is none, I venture to think, who would dare to do it. The law is wrong in the sense that it is set at defiance with the connivance and almost the approval of society. The case of the poor is very different. The rich man has not the same temptations. He has a large household, a retinue of servants, and nurses, and governesses for his children. He is not necessarily thrown frequently into the society of his deceased wife's sister if she is looking after his children. The poor man's position is totally different. Nine-tenths of poor families live in two rooms, and in such cases it is a choice between immorality and a marriage which is not recognised. This Bill would remove the difficulties of many a virtuous girl who wishes to take care of the children of her deceased sister. It would make the position of a young and innocent girl far safer than it is now. In the case of a young and handsome woman who takes charge of her deceased sister's children, it is idle to say that the breath of scandal does not now often rest upon her. I myself have no sort of doubt about it, that if the breath of scandal is not to rest upon the girl who gives up her life and even prospects of marriage for the purpose of devoting herself to the children of her dead sister, her position would be far safer if the law were altered in accordance with the provisions of this Bill. I noticed that the Member for Oxford University laughed very much when I talked about the numbers of these marriages. I admit frankly that I have not exact data on which to go. In 1847, it was admitted by the Commission that it was almost impossible to get the number of these marriages among the poor, but from 1835 to 1847 they put the number at 500 a year. The population then was about half what it is now, and I think the assumption that the number of such marriages is now 1,000 a year is more than justified. In France they have obtained statistics with reference to marriages of that kind, and in the large towns, where I venture to think the French people are not noted for their morality, they find that these marriages, the population being of very similar extent to ours, number about 1,000 a year. I think the House, therefore, will feel that I am justified in my assumption, that there can be very little doubt the number is 1,000 a year. I should note this point, that in France two dispensations are required—one from the civil authorities and one from the Catholic Church, and these go to show that there is a very large number of these marriages year by year. Now, about the thin-end-of-the-wedge argument, for which I confess a very hearty contempt. I never knew of an instance in which a well grounded reform was advocated, but this argument was trotted forth. It is trotted out now. But is it a fact that those who urge this change in the law also desire a further change in the marriage law, and wish to see marriage with a deceased husband's brother? That was never a valid marriage in this country. And all we ask by this Bill is that marriages once common in this country shall be declared valid. We have never asked, we do not intend to ask, nor have we ever had a single word in our Bill to warrant the assertion that marriages which were never valid in this country shall now be declared valid. If there is any doubt about that, when the Division occurs on the Amendment of the hon. Member for Crewe, it will be seen whether those who support the Second Reading of this Bill have no sympathy with his proposition. I would point out that marriage with a deceased wife's sister has been legal for 20 years in South Australia, and for 17 years in some of the other Australian Colonies. And in reference to the social argument which is used against us, we have never heard that society in the Colonies has suffered by the changes which took place in their law, nor have we any right to say that such changes have been prejudicial to society. If they had we should have heard of it a long time ago. The absence of any suggestion of such a prejudicial change, in my opinion, and I believe in the opinion of the House, goes a very long way—that if we took the steps taken 30 years ago in such Colonies, we should have no reason to fear the prejudicial change which is used as an argument by our opponents. Now, with reference to the attitude of the Church. It has been always a favourite theory of those who are opposed to this Bill that those who are in favour of it cannot represent any section of the Church whatever. No doubt it is the fact that this Bill would have been passed years and years ago, but for the attitude taken by the Bishops in another place. I very much regret that action. Still, I would remind the House that there have been distinguished Prelates very much in favour of it. Among them I would cite Bishop Lonsdale, who presided over the Commission in 1847; and later, the distinguished Prelate who recently resigned the See of Worcester, who, in another place, never failed to vote or pair in favour of the Bill. The Primate of all Ireland is not only in favour of it, but has been an eloquent advocate of it. If I had time I could name between 20 and 30, some of them most eminent members of the Anglican Church, who have steadily and uniformly advocated a change of the law. I do not deny that one section of the Church, High Churchmen, are strongly against this Bill; but it is a curious thing that I have no personal knowledge of opposition in the Church, except on the part of High Churchmen. I received a letter from a distinguished Prelate of the Church of England in the City of London, who, so strong is his feeling on the subject, told me that if I did not abandon my support of the measure, he would take action against me at the next election. The day before yesterday I had another letter from a minister of the Church of England, who reminded me of our acquaintance in 1855, when I was 11 years of age, and who upon the strength of that early friendship asked me to abandon my position. On the other hand, it is a fact that there are clergymen in favour of the measure. A clergyman, exceedingly well known in connection with public movements, the Rev. Hugh G. Chapman, has told me over and over again that he is strongly in favour of an alteration of the law on this subject. There is a difference of opinion among the clergy. To those who say that the Church is practically unanimous against this Bill, I reply that there are few of the more liberal-minded of our clergy who are not in favour of it. I decline to treat this question as one affecting the Church rather than society. We do not go back to the Old Testament for our marriage laws in these days, and I think it high time we dropped discussing the meaning of a marginal note in Leviticus. It has often been said that the agitation in favour of the alteration of the law has been undertaken on behalf of a few interested wealthy people. That statement is absolutely without foundation. It is in the interests of the poor rather than of the rich, of the working classes rather than of the upper and middle classes, that I wish to see this change effected. Why should the innocent be punished bitterly for the sin of their parents—if it be a sin. I appeal to the House not to overlook the position of the children of the marriages which this Bill will make lawful. At present a stigma rests upon them, and they are made to suffer for the sin, if there is a sin, of their parents. Why should they be branded with a brand, which when they grow up almost makes them think that they had better have never been born. Upon what grounds are you to continue this stigma upon them. Is it in the cause of religion? I say that religion has not suffered in our Australian Colonies, and will not suffer in England if you make this change, which is demanded not only by those who suffer, but also in the name of Christianity, enlightenment, and civilisation. I appeal to the House to again read this Bill a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.25.) MR. A. JEFFREYS (Hants, Basingstoke): I beg to move as an Amendment that this Bill be read a second time this day six months. Although I am aware that the arguments for and against it have already been thoroughly threshed out in former years, yet I must ask the House to bear with me a few moments while I repeat them. My hon. Friend has just said that the country is with him in favour of this Bill. I deny that altogether, and I say that the country is thoroughly apathetic on the subject, and so, too, is this House, for that is indicated pretty clearly by the fact that for three quarters of an hour to-day a House could not be made. The measure has been before the country for no less than 50 years. Surely, if the country really desired that it should become law it would have been passed long ago. There is, in fact, no strong feeling on the subject. And as to the Bill having passed this House many times, I may point out it has been introduced 19 times in this House, and only six times has it passed through the House. Four times it has been thrown out by a majority, and the remaining times it has been withdrawn in Committee. These facts should be borne in mind by those who declare that the Bill has passed through the House many times. The greatest majority ever recorded in favour of the Bill was in 1869, when it was 99, and since that year the majority has decreased. This year I hope it will be still further diminished. There is no agitation in support of the measure; we do not hear of meetings held to advocate it, and Members are seldom asked by their constituents to vote for it. The fact is, the public are apathetic on the subject. Few people have asked for it at all, and one great body, whose opinion has not been sufficiently considered—the women of England, Scotland, and Ireland—are opposed to the measure, and have held meetings to protest against it. The late Miss Lydia Becker wrote many articles in opposition to this proposed alteration of the law, and many other well-known women have written on the same side, pointing out how disastrous its adoption would be to home life, and how it would prevent girls who had no homes of their own from going to live with a brother-in-law. If the Bill is passed the sister of a man's deceased wife will either not be able to live with her brother-in-law and his children, or she would be compelled to contract what, to her, might be a most distasteful marriage. The Bill will abolish the maiden aunt and introduce the stepmother in her place. But my principal objection to the Bill is that it will unsettle the whole of our Marriage Law, which has been handed down from ages and has prevailed ever since the introduction of Christianity into this country. The hon. Gentleman has said that what he proposes was the law up to 1835. It was nothing of the sort. Occasionally these marriages were contracted, but it was possible for either party to have them annulled by going before the Ecclesiastical Court. In 1835 the Lyndhurst Act was passed to settle the matter once for all, and to say that such marriages were void instead of voidable. These marriages have always been looked upon with the greatest disgust and distrust in this country. If the hon. Member will look into his Shakespeare he will see that the marriage of Hamlet's mother is called incestuous and horrible, and such has always been the feeling with regard to such marriages. The hon. Gentleman has said that the Churches are not against the Bill. The Established Churches of England and of Scotland are opposed to the Bill, and the Roman Catholic Church is also opposed to it, although dispensations may be granted. It is perfectly evident that the Churches are totally against the Bill. I will not enter into the Biblical argument, as that is so well-known. The hon. Gentleman appeared to sneer at what he called the thin-end-of-the-wedge argument; but that is an argument which must be used. We must look to what has been done in other countries. In America and in certain parts of Australia marriage with a deceased wife's sister is allowed; then it came to pass that a man might marry his niece, and ultimately, in the United States, the law was so extended that anybody might marry anybody who was not a blood relation. In 1855 the right hon. Gentleman the Member for Mid Lothian made a most energetic and eloquent speech against a similar Bill, and he made use of the thin-end-of-the-wedge argument, for he said—

> "That by assenting to this measure we should be opening a flood-gate which no earthly power could shut, and introducing principles which would not admit of limitation."

That is exactly our point. We say you cannot stop at this. If you allow this, why not allow a widow to marry her brother-in-law? In the same Debate Lord Selborne made a great speech against the Bill, and he still carries on his opposition to it. If a man can marry anybody who is not a blood relation, it may be the case that, having married a widow with daughters, who come to live with them, the man, after the death of that widow, may actually marry one of her daughters. In the States of the American Union, as a matter of fact, it has happened that after his wife's death a man has married his step-daughter. That is repugnant to all right feeling. The effect of the relaxation of the Marriage Law is bad in many ways. In the United States divorces have increased to an enormous extent. In San Francisco the divorces, as compared with the marriages, were in one year as one to five, in Colorado as one to three, in Kansas as one to 12. Surely that is a horrible state of affairs. Only in two countries in Europe does this law prevail—Prussia and Holland. In other countries they have to get a dispensation which it is often difficult to obtain; but in some way a man can get a dispensation to marry his own niece or his aunt, and it has been done in our own day. In the year 1792 France passed a law such as the hon. Gentleman proposes; but on account of the trouble it brought in families and the increase of unhappiness and of divorces, Napoleon, 13 years after, actually repealed it. Thus it was a failure in France. No doubt this law is in force in the colonies, but that is no argument. If the colonies, as younger people, set us a bad example, we, as older people, ought not to follow it. Why do we not follow their example with regard to protective laws? Hon. Gentlemen opposite will not say that we ought to do so. A Colonial Conference was held in 1887, and representatives of Australia, Canada, and the Cape were drawn together; but although the representatives of some colonies asked that our law on this question should be made similar to theirs, the representatives of Canada, Newfoundland, and the Cape all said that, though they had for their particular interests made this law, they would not ask the Mother Country to alter her law. The representative of South Australia said that in his colony it was practically a dead letter, as such marriages scarcely ever occurred there; and Sir J. Fergusson, who had been Governor of the colony, stated that the measure was passed in opposition to the whole religious convictions of the colony, and that there was not at that moment one clergyman of the Church of England there who would celebrate such a marriage. It has been used as an argument in favour of the Bill that people domiciled in the colonies contract these marriages, and when they come home they find that the marriages are not recognised as legal. But that is not strictly accurate. Lord Cairns has said that if a man who is domiciled in a colony where such a marriage is lawful, and his sister-in-law, who is also domiciled there, have contracted marriage with one another in the colony, it will be considered a legal marriage in this country. But no doubt it is illegal for a person to go out to the colonies simply to contract such a marriage. I agree with the right hon. Gentleman the Member for Mid Lothian that this Bill is the thin end of the wedge. The law, if passed, would break up many homes and bring jealousy and distrust into many a domestic circle. Who is a more natural guardian of the children of the dead wife than her sister, who has probably lived with her for many years? I have known cases in which the sister has taken care of the deceased wife's children without scandal or reproach under the honoured name of sister-in-law. I ask the House to pause before putting such a woman in an invidious position. Why should a sister-in-law, who may have no home but that of her brother-in-law, who is willing that she should remain in the same relation as before, be turned adrift in the world? At present, as we know, sisters-in-law do live with their brothers-in-law, and no one points the finger of scorn at them. Those men who wish to marry their deceased wife's sister must be very few, and why should harm be done to the many in order to benefit the few? If you are going to alter the law on account of a man who knowingly transgresses it, why do you not alter the law on account of a man who has committed bigamy? The hon. Member who moved the Second Reading of the Bill said that the proposed alteration in the law was desired by the poor rather than by the rich, but in my opinion this alteration is desired by the rich rather than by the poor. The late Lord Hatherley took the trouble to go into this subject thoroughly. He had examined very carefully the state of things that existed in connection with this subject in two parishes close to Westminster, and he found that out of a total population of 60,000, which included 40,000 poor, only one case of a marriage with a deceased wife's sister had occurred. The Royal Commission which sat to inquire into this question in 1848 reported that whereas in the 13 preceding years 1,608 marriages of this kind took place amongst the rich, only 40 took place amongst the poor during the same period. I trust that the House, before they take a momentous and deplorable step, before they assent to a measure of this kind becoming law, will endeavour to ascertain the feelings of the women of England, Ireland, and Scotland with regard to it. I ask the House to consider what misery and unhappiness will be carried into many domestic circles if this Bill becomes law, and to hesitate before thus injuring the domestic homes of this country. I beg to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. Jeffreys.*)

Question proposed, "That the word 'now' stand part of the Question."

(3.48.) MR. HALL (Oxford): I rise to second the Amendment. I am sure the House owes a deep debt of gratitude to the hon. Gentleman who has moved the Second Reading of the Bill for the ability he has displayed in dressing up the old arguments by which measures of this kind are usually supported. The hon. Gentleman told the House that these marriages have been regarded as being valid for centuries. My own notion, on the contrary, is that the universal voice of Christendom has always condemned such marriages. The hon. Gentleman then proceeded to assume that the majority of the people of this country are in favour of this Bill; but the fact that so few out of the whole number of Members of the House take sufficient interest in the subject to enable a quorum to be made for three-quarters of an hour after the usual hour for commencing business is a sufficient answer to the assertion of the hon. Gentleman. The truth is that this is a question in which the constituencies take absolutely no interest. Of the five elections I have contested in the last 20 years no single creature has said a word to me on the subject of this Bill. There is no public opinion in favour of, nor popular demand for, this Bill, and it is put forward in the interest of a class only. There is, indeed, a persistent class demand for it. A certain minority of men take a view of the *status* of marriage very different from that taken by the law of England and by the universal voice of Christendom. They desire to alter the law to suit their views. I believe if there is any subject to which the old saying—*quod semper*, *quod ubique*, *quod omnibus*—applies, it is that of the Marriage Laws of this country. What is the root and idea of marriage to an ordinary Englishman? Surely it is the oneness of a man and his wife. If that idea be false, by all means pass this Bill. You will be logical in doing so; but if it be true, and if this measure is permitted to become law, marriage will degenerate from a *status* of sacred union to that of a mere civil contract. No one disputes the proposition that the deceased wife's sister is the proper person to take charge of the children of the marriage; but that is no reason that the widower should be allowed to marry his deceased wife's sister. On the contrary, by altering the law you will be preventing the majority of widowers from being able to ask their deceased wife's sisters to act as the guardians of their motherless children. It is very difficult to find anything fresh to be said upon this subject. But there is one aspect which I think has been overlooked. I believe that the passing of this Bill will jeopardise one of the most beautiful traits of English family life—the sweet confidence of sisters one towards the other. Hitherto the younger sister has clung to her elder sister, and has been as a sister to her sister's husband. If you pass this Bill you will, even if you do not destroy that trait, put it in considerable jeopardy. The experience of other countries on this subject shows that the change in the law now proposed would work most unsatisfactorily, and that it would lead to a degradation of the marriage *status*. In the Colony of Victoria the statutory term of a matrimonial contract is three years, and absence during that period constitutes a valid reason for putting an end to the partnership. We do not want to come to anything of that sort in this country. A mere partnership! Is that what the sacred notion of English married life is to come to? In parts of Connecticut the ratio of divorces to marriages is one to seven, and in one of the other States it is one to three. What does all this mean? I do not think it means that these people are greater sinners than others, but that their root idea of married life has come to be different from ours, and that, whilst our idea is that marriage is a sacred union, their idea is that it is a contract tending more and more to become one of a temporary character. The House ought not to pass this Bill out of pure good nature to accommodate a few, but it ought to consider the far-reaching consequences, which go deep down into English family life. Of course, you can Americanise, you can Continentalise, and you can abolish all your Marriage Laws, but think of the terrible responsibility you incur. It is true that nowadays men do not care much for the decrees of Churches; but, at all events, Parliament ought not to indulge in legislation for which there is no popular demand whatever, when confessedly such legislation involves the heavy responsibility of contravening the root idea of married life in this country. I beg to second the Amendment.

(4.5.) Mr. W. M'LAREN (Cheshire, Crewe): Although I also rise to oppose the Second Reading of this Bill, I do so from a very different point of view to that of the hon. Gentleman opposite. The point of view which leads me to offer the Bill my opposition is stated in the Amendment which I placed on the Paper, but which, unfortunately, the Forms of the House will not permit me to move. That Amendment is—

> "That this House is unwilling to pass a measure which, while it has for its object the alteration of the law that now prohibits marriages in certain cases, does not deal equally with both the husband and the wife, but gives to the husband a privilege with regard to his wife's sisters which it denies to the wife with regard to her husband's brothers."

The hon. Members who had precedence of me preferred that the Division should take place on the direct negative. I am not greatly concerned to disagree with the speech of the hon. Gentleman (Mr. J. Kelly) who moved the Second Reading. A great deal of what he said was true, and I confess that although I have no desire to change the law, still, if the Bill were a fair and equal Bill, I should not offer any opposition to it. Still, the hon. Member for Camberwell did very considerably over-colour his picture, and in some of his statements was guilty of very remarkable inconsistencies. He told us how colonists, who had made marriages with the deceased wife's sister, which were legal in the colonies, were affronted when they came over here, and went home embittered because they had been looked upon in English society as living in concubinence. He also told us of a High Sheriff, whose wife—his deceased wife's sister—was received into society and regarded as properly married. I think those statements were inconsistent. The hon. Gentleman declares that the working classes are overwhelmingly in favour of the Bill. The working classes cannot be strongly in favour of this Bill if they look with disfavour upon a working man who has contracted one of these marriages, and if his children are pointed at at school as being bastards. The fact that people have broken the law is not a reason why the law should be amended for their convenience. I should not oppose the Bill if it maintained the principle of equality between the husband and wife which has always existed in reference to these matters. At present the law is absolutely equal between husband and wife, and neither is allowed to marry into the family of the other. The Bill will change the existing equality, and it will give to the husband, in case of his wife's death, a privilege with regard to his sisters-in-law which it denies to the wife in the case of the husband's death with regard to her brothers-in-law. It has been said that the Bill will create jealousy as between a wife and her sisters. I think there are cases in which that jealousy will be created. The wife would dislike to have sisters in the house on free and sisterly terms, and, if the Bill made the law equal, what would the husband say with regard to his brothers? A former Member of this House said—

> "If it was possible for my widow to marry one of my brothers, I would not let a brother come into the house again."

Yet you are putting all the wives of the country into a position which a Member of that House said he would not tolerate for himself. Lord J. Russell denounced a Bill which, like this, created injustice as between husband and wife. The supporters of the Bill do not say, "Let us pass this Bill, and then pass a Bill legalising marriage with a deceased husband's brother." On the contrary, the hon. Member for Camberwell is bitterly opposed to any such extension of the law. The right hon. Gentleman the Member for Grimsby (Mr. Heneage) is equally opposed to my view. In a letter which the right hon. Gentleman wrote condemnatory of my action a couple of years ago, when I moved an Instruction to the Committee, he stated he was opposed on principle to allowing a widow to marry her deceased husband's brother. But he has never stated what that principle is, and I ask him to do so now. It is perfectly clear that this Bill is not to be regarded, in the minds of its supporters, as a stepping-stone to an equal and just state of the law. Some Members have been good enough to tell me that if I would only support this Bill what I desire would necessarily follow. That is not my view, as founded on experience. Take the analogous case of the Divorce Law. That is not equal as between husband and wife; it gives the husband power to get a divorce for reasons for which it does not give the wife power to get a divorce. There is no attempt to remedy that defect and injustice. So it will be if this Bill passes in its present form; Parliament will not be likely to remove the inequality afterwards. It is estimated, I believe, that for every 100 marriages with a deceased wife's sister there are four with a deceased husband's brother. There is not the smallest reason why, if an amendment of the law is to be made, it should not be made to cover both classes, because it is as great a hardship for the children to be bastards in the one case as in the other. Although, as I admit, there is a considerable body of public opinion in favour of the Bill, I am certain that if it were generally known that the Bill is of a one-sided character there would be considerable opposition to it. I earnestly impress upon the House that in assenting to the Second Reading hon. Members will be adopting in principle a measure which is unjust and unfair, which cannot be regarded as a settlement of the question, and which, in my opinion, every one who is desirous to see equal justice as between husband and wife should strenuously oppose.

(4.15.) LORD W. GORDON LENNOX (Sussex, Chichester): I am anxious to oppose this Bill, because I believe it will strike a blow at the very foundation of our social morality. Who really wants the Bill? The Mover of the Second Reading naturally trotted out the old argument that the Bill is intended to benefit the working classes. I maintain that the Bill will not benefit the working classes, and that it is not asked for by such classes. Young women of the working classes, generally speaking, leave their homes at an early age. They either go to service or they get married and go away altogether. In either of these cases, in the case of the death of the wife, you will very seldom find the sister will leave her present occupation to go and look after the children. In the general life of the working classes, again, it will be found that a man remarries in a very short time after the loss of his wife. Moreover, the neighbours and friends of a bereaved husband are in almost every case anxious and willing to help their neighbours in their distress. I do not know what may be the opinion of the constituents of those delegates who went to the Congress at Liverpool, but I undertake to say that if any large district in the East End of London were canvassed it would be found that very few people among the working classes are in favour of the Bill. With regard to the middle classes, the Bill is entirely unnecessary on their behalf, and it is in that class of life where the number of sisters-in-law are not only most numerous, but most helpful to the family both during the lifetime of the wife and in the event of her death. And in the case of the upper classes I fail to see that the Bill will have very much effect one way or another.

It has been said in the course of the Debate that if the Bill passes, a rich man may still have his sister-in-law to look after his household. I think you would find there are extremely few people in society who would dare to live with their sisters-in-law if the Bill were passed into law, and few who would associate with any such people if they did. The real object of the Bill is a retrospective one, having for its object legalising the illegality of several people who have chosen to break the law. The question has been argued from the men's point of view, but surely it is only fair we should look at the interest of the women in this matter. We do not hear a great deal from the women of the country on the subject, for the simple reason, in my opinion, that they have a delicacy in discussing a very unpleasant question. I undertake to say, however, that if you could get the women of the country to speak their minds you would find that there is not a single woman in the country who does not hate the object of the Bill. The Bill is as unfair as it is undesirable, and I shall most decidedly give my vote in favour of the Amendment.

*(4.22.) MR. W. H. CROSS (Liverpool, West Derby): I should like to point out the peculiar difficulty in which we on this side of the House are placed by the tactics of those in charge of the Bill. The hon. Member for Camberwell (Mr. J. Kelly), in moving the Second Reading of the Bill, dismissed with a wave of his hand all the arguments we might use by saying, "We shall have all the stale arguments trotted out." No doubt we have trotted out our old stale arguments, but the other side has not paid their old stale arguments even the poor compliment of trotting them out at all. With regard to the speech of the hon. Member for Crewe (Mr. M'Laren), we welcome his vote with more enthusiasm than we are likely to bestow upon his speech, because while he made the very best speech for the Bill, he wound up by saying that he would vote against it. The hon. Member for Camberwell described as the chief of the stale arguments that of the thin end of the wedge, and described it as a mere "bogey," but since his speech the thin end of the wedge has risen in its place in the person of the hon. Member for Crewe, whose only reason for not accepting the Bill was that it was not the thick end of the wedge. The hon. Member for Camberwell showed himself to be a man of wide social experience, but he said he did not know a single person who had contracted one of these marriages, and upon whom the present law inflicts the very slightest semblance of hardship. I congratulate my hon. Friend on his experience, and I think if he could poll the Members of this House he would find that a very much larger number than he believes are, in this respect, in the same position as himself. I do not believe that these marriages are so common as he has implied, and, even if they were, I see no reason why a Bill should be passed to relieve persons so married of responsibilities which they have knowingly incurred. I must protest against the statement that the only opposition to this Bill comes from the High Church Party of the Church of England. I believe the chief opponent of the Bill in former years was the late Earl Cairns, who surely could not be regarded as a High Churchman, and he was supported by the vast majority of the Low Church Party. The entire body of the Established Kirk of Scotland and of the Free Church are also on the same side. My hon. Friend has thought it necessary to put into the Bill a clause which preserves in its integrity the present Law of Divorce. As we know, adultery alone is not a ground on which a wife can divorce her husband, but incestuous adultery is by itself an ample ground for divorce. The reason is that incestuous adultery is so gross an offence against the moral law and so gross an offence against the wife that nothing more is needed to dissolve the bond which ties the wife to her husband. The assumption on which this Bill is founded is that the wife's sister is no more to the husband than any other woman, and yet the promoters are bound to put in a clause preserving the law of divorce, to which I have referred, and which declares that adultery with a wife's sister is incestuous adultery. It is idle to pretend that the Bill does not very grossly offend the feelings and opinions of a large propor-

tion of the English people. The promoters know that so repulsive would this proposed new law be that they do not even seek to compel clergymen to marry people who come within this degree of relationship, and they are obliged to put in a clause exempting clergymen from liability for refusing to perform these marriages. I must protest against the assumption that the Liverpool Trade Union Congress represented the views of the great mass of the working classes on the subject. No doubt the working men, as my hon. Friend said, paid the delegates to meet in Liverpool, and the delegates passed a certain resolution, but I am confident that these delegates were not paid to express an opinion on this subject at all, and that they did not represent the views of the vast body of the working classes of the country in regard to it. For these reasons I shall cordially vote against the Second Reading of this Bill.

(4.35.) MR. HENEAGE (Great Grimsby): I am somewhat surprised to hear the taunts thrown out by Members opposite about our inability to make a House punctually at 2 o'clock, to-day. It is not our fault, but that of the opponents of the Bill, that the House did not meet at 2 o'clock to-day. We were most anxious to give every opportunity for full and fair discussion, and it is not we but the opponents of the Bill who, whilst the Speaker was in the Chair, showed discourtesy to the House by stopping in the Lobbies and declining to assist in making a quorum. I would point out also that it was well known that the House could not be counted out before 4 o'clock, so that the only consequence of keeping out of the House was to prevent the Debate coming on. It has been urged as an argument against the Bill that there is no agitation at the present moment in the country for it; but the fact is, that public agitation in favour of the Bill took place 20 years ago, and the demand for it has continued ever since. Year after year it has been brought before Parliament, and has been carried in this House by increasing majorities under both Liberal and Conservative Governments, while it has only been stopped from going to the other House, or receiving proper attention there, by want of time. The hon. Member for Crewe (Mr. M'Laren) said he would not support the Bill unless it made women and children equal with regard to the law of marriage. Those who support the Bill, however, do not believe that there is any demand for marriage with a deceased husband's brother. We look upon the measure as altogether in the interests of poor people and children. The greater part of the arguments that have been urged against it are of the old society or social character that have been trotted out over and over again, as if the whole question affected only a small part of society in London. The fact is, that the class of people who most require this change in the law know comparatively little, as a rule, of their relations, and the wife's sister, is not often or long in the home of the labourer or the artisan during the lifetime of the wife. In most cases she, like the other members of the family, has to go away to seek her living, and, therefore, the argument about the sister-in-law creating jealousy in the family falls to the ground in the cases where the Bill is most desired. We believe that the person who would be the kindest to the children who have lost their mother would be the deceased wife's sister, and, of all others, she is naturally the most likely to take care of them; therefore, if the husband is to marry again, she is the most natural person to marry in the interests of the children. Marriages of this kind take place now regardless of the law. We wish to revert to the old law, and not to bring about a new law, and we do not propose to bring in either the thin or the thick end of the wedge. The chief argument of the hon. Member for Chichester (Lord Walter Lennox), was that divorce was easier for men than for women, and he thought that was a reason why we should not pass this Bill. If the noble Lord disapproves of divorce then let him attempt to deal with the Divorce Laws. Then the Bill has been dealt with by the hon. Member for Oxford, who seemed to be under the impression that it is a Bill to compel marriage with a deceased wife's sister. But I can assure him we have no idea of any compulsion of the kind, we wish to permit such marriages, and such are very often desirable in the interest of the children. The hon. Member stated that there are few cases of such marriages known, and I do not myself know of one single case in what is called society, but I do know of many cases in the country; and in every such case I know of, the marriage was entered into simply out of consideration for the interest of motherless young children. I recollect two tenants of mine married in this way, and I know that after a struggle against the strong feeling excited against them among the clergy and others, they had to leave their native county and settle in another county where their previous circumstances were not known. This is the unpleasant state of things I want to put an end to. We are told that we have only argued the Bill on the old lines. Well, we have waited to-day to hear some new argument which has not been answered over and over again, but not a single argument has been used to-day that has not been met in previous Debates during the last two Parliaments, and amply and thoroughly dealt with. The fact is the arguments against the Bill are getting feebler every year. Ever since our opponents have dropped the Biblical argument there has been nothing to take its place. We are told such marriages have been disastrous in the colonies. If that is so how is it that when the colonial delegates were here a few years ago they were unanimous in favour of this change in the law, and pointed out the injustice and disadvantage a colonial subject of Her Majesty is under, who having married according to law in the colony finds that his wife cannot be recognised here? I do not think there are any arguments I can add to those so well brought forward by the hon. Member for Camberwell, or that there has been any argument used since he spoke to which I need reply, and so I express a hope that the House will agree and give the Bill a Second Reading.

(4.45.) THE SOLICITOR GENERAL FOR SCOTLAND (Sir CHARLES PEARSON, Edinburgh and St. Andrew's Universities): In supporting the Motion for the rejection of the Bill, I will not deal with the more general subject; but if I pass by arguments that have been used, I desire to protest against the statement of the right hon. Gentleman who has just sat down, that the Biblical argument has been given up. I take it that the reason why that argument is by tacit consent not advanced, is that it is felt that it is not fitting that these discussions should turn largely upon theological considerations. Really the answer is that those who have taken sides on this question have agreed to differ on that particular point. On that ground alone those with whom I think on this subject are disposed to give it the go by. If I do not touch on the social and domestic argument used in former years, it is because I think in regard to that part of the subject enough has been said by other speakers this afternoon, but I rise because there is one aspect of the subject which has not been touched upon, and I am disappointed that it has not been touched upon this afternoon, because there are on the back of the Bill the names of certain Scottish Members who, I think, at all events, might have been here to give us those views of this Bill, which, in their opinion, are held in that part of the Kingdom. I observe in the last clause it is proposed that the Bill shall extend to every part of Her Majesty's dominions. Now, Scotland occupies a somewhat peculiar position upon this question. It differs altogether from the relation and attitude of England towards this matter, and has so differed for centuries. Of course, in the old time when the canon law prevailed, there was, to a certain extent, similarity in the laws of the two countries; but since the Reformation the basis upon which this matter has stood in Scotland has been totally different to that in England. In Scotland, ever since the Reformation, it has been within the sweep of the Criminal Law, and not merely the Civil Law of the land.

That makes a vital difference when we are considering the social aspect of the question, and in considering what the attitude of the public in different parts of the country is towards it. I assume that all Members who represent the northern part of the Kingdom, are aware of this aspect of the question I am just touching; but I will occupy a few moments in the endeavour to make my meaning perfectly plain. I may remind the House that immediately upon the occurrence of the Reformation an Act of the Scottish Parliament was passed by which the crime of incest was made punishable by death. Though I do not, for a moment say that that is a law which we ought to revive or continue, at the same time it is noticeable, as it bears very closely on the view taken by the people of Scotland on this subject, that it was so punishable according to the strict theory of the law until a very recent date; but taking it according to the degree of criminality, that is borne out by actual punishments awarded, a test that will be admitted on all sides. Actual punishments awarded for crimes of exactly the same nature as this of which I am now speaking—this shows the Scottish view on the subject—have within living memory been long terms of transportation or penal servitude.

MR. A. ELLIOT (Roxburgh): Does the hon. and learned Gentleman mean this has been the ordinary practice in Scotland?

SIR C. PEARSON: Perhaps I have not sufficiently explained my position. My position is that this is not so much a question of the Civil Law in Scotland as primarily, and in the first instance a question of the Criminal Law.

MR. A. ELLIOT: But as a matter of practice at the present time, are severe punishments awarded?

SIR C. PEARSON: I think my hon. Friend will allow me to proceed with my argument. What I am anxious to make out is that inasmuch as this is not a question so much of the Marriage Law primarily in Scotland as of the Criminal Law; it is rather a question how the law has viewed the matter with reference to the punishments it has inflicted; and although in recent times no prosecutions of this kind have taken place, yet it is the fact that offences which are in the same category have within living memory, been visited by long terms of penal servitude, as for example, incest between an uncle and a niece, or between a man and the sister of his living wife. It seems to me it is hardly necessary for me to go in detail into the matter; but I do say that what I have said bears very close relation to the question how a Bill like this will be accepted in Scotland. I have not, either outside the House or during the Debate this afternoon, heard any argument whatever to convince me that there is any movement in favour of this measure in Scotland. There is absolutely no agitation on the subject; but on the contrary I believe that to pass this Bill would lead to most disastrous consequences and shock the moral sense of the whole community in Scotland. [*Cries of* "No, no!"] There are exceptions, no doubt, but I should like the ordinary tests to be applied to the question. There are a few petitions on one side or the other, but in Scotland there are the two large Presbyterian bodies which represent the larger part of the population distinctly against the proposed change in the law on the ground of principle. As a principle it is firmly imbedded in the law of Scotland, and has been for centuries, that these marriages are not only illegal, but criminal also; and it appears to me, even assuming, what I cannot for a moment assume, that there has been a recent change of opinion on the question, it is far too recent a change to justify a change in the Civil Law affecting the *status* of marriage. I submit that it lies on those who represent Scotland in the House to show that they have received a mandate on the question, or that they have been approached by any considerable body of opinion in Scotland to vote in favour of the Bill. I should particularly like to hear from those Scottish Members whose names are on the Back of the Bill whether there has been such an expression of opinion. Having regard to the relation which the mind of Scotland has borne to this question over a long period of years, I humbly submit I am entitled, not using exaggerated language, to say that the passage of this measure would be received with the utmost disfavour in Scotland, and I go so far as to say would shock the moral sense of the country.

(4.55.) COLONEL **MAKINS** (Essex, S.E.): It does not appear to have been noticed that this is a jubilee Debate on this subject, it was first introduced in 1842. I do not think it appears to excite quite so much enthusiasm as jubilee celebrations usually do. But I rise to repeat what I said last year, expressing the very strong objection I feel to a question of this magnitude being dealt with in a fragmentary manner, and by means of a private Member's Bill. The question of an alteration in the marriage laws is so important that, if dealt with at all, it ought to be taken up by a responsible Government, and dealt with in the fullest possible manner. I quite agree that there is a strong feeling, not only on the part of many hon. Members, but on the part of many people in the country, in favour of this measure; but there is an equally strong feeling on the opposite side held by members of the various religious bodies in the country. If there is any way of compromising a question of this kind it is by making all marriages civil, the religious bodies solemnising those which came within the regulations of their own particular religious section. The State would then be answerable for the proper publication of the marriage banns, the legitimacy of children, the devolution of property, and other matters. Independently of the benefit this would be to the State generally, it would be an opportunity of bringing into accord the law of marriage in the different parts of the Empire, which now widely differ in theory and practice. I certainly am not now going into the religious question, or into arguments repeated to-day for the fiftieth time. I content myself with saying that this is a subject which should be approached and settled in a far different manner than it can be by a private Member's Bill on a short Wednesday afternoon.

(5.0.) The House divided:—Ayes 202; Noes 155.—(Div. List, No. 55.)

Main Question put, and agreed to; Bill read a second time, and committed for to-morrow.

RATING OF MACHINERY BILL.

(No. 16.)

SECOND READING.

Order for Second Reading read.

*(5.11.) MR. **WINTERBOTHAM** (Gloucester, Cirencester): It is not my intention to make a speech in support of the Bill. It will be in the recollection of the House that the Second Reading was carried by an enormous majority of 3 to 1 last year; and I believe there is a general concurrence of opinion that some such Bill ought to pass. All I now wish to say is that we are willing to accept some such Amendment as the Attorney General suggested last year as a fair compromise, and we shall be glad if the House by agreeing to the Second Reading will put the Bill into the position it occupied last Session. We will then give ample time before proposing the Committee stage. We will accept any suggestion which will make the Bill a fair and workable measure. The great need is that the law shall be defined, that it shall be made clear to the Rating Authorities what machinery shall and shall not be rated; and that the law shall be what it is, and always has been, in England and Scotland.

Motion made, and Question proposed, "That the Bill be now read a second time."

(5.12.) THE **ATTORNEY GENERAL** (Sir R. WEBSTER, Isle of Wight): The principle of the Bill has been so far conceded that I think the hon. Member is justified in asking the House to agree to the Second Reading; but at the same time I hope we clearly understand the position. I do not know why the Bill has been put forward in its present form, because as it stands it is open to the very serious objections which I pointed out in reference to last year's proposal. The scheme of the present Bill is that certain specified kinds of machinery shall be made rateable, and that all other kinds shall be exempted. Very great difficulties may arise in working such a scheme. A new state of things in regard to machinery may arise; new forms of machinery may be invented; new methods of fixing, new kinds of foundation for machinery may be adopted, and other things may happen which may bring machinery within the category of what ought to be rated, yet because it is out of the category of rateable machinery in the Bill it will be exempt from rating. I think the better form would be to make all machinery rateable, and then to provide for exceptions in specified cases. However, I understand the hon. Member to say that if a Second Reading is given to the measure he is quite willing to postpone the Committee stage for a time when we shall have full opportunity for discussion, and also that he is willing to accept Amendments upon matters which raised much controversy last Session; and so far as I have any right to speak on behalf of the Government I think the suggestion of the hon. Member is a fair one. But I hope it will not be assumed that in assenting to the Second Reading we could under any circumstances assent to the form the Bill now presents, namely, providing for special rating and general exemption. The question should be approached from just the opposite point of view, the exemptions being special. I am quite sure the hon. Member will carry out the undertaking he has given; but I think it is necessary, having regard to the numerous interests involved and the view that exists—among the agricultural classes for instance—that there might be undue exemptions, it is extremely important, in view of the many and important interests concerned, that we should reserve full right to ourselves, and that the conditions upon which the Government assent to the Second Reading should be understood.

(5.16.) SIR HENRY JAMES (Bury, Lancashire): I am sure everyone will be glad to see a solution of the difficulties arising in connection with the question arrived at. I will only now ask whether the Attorney General will himself put Amendments on the Paper, so that Members may know what will be acceptable to the Government?

SIR R. WEBSTER: I understand the idea is that Amendments should be put upon the Paper either by the Government or by those who support the Bill, Amendments I mean on the lines of those proposed last year. There will be no difficulty about the Amendments being put down either in the shape the promoters are willing to accept or otherwise.

SIR HENRY JAMES: As my hon. and learned Friend is aware, there is a second Bill, the language of which takes the direction he has indicated. Would the provisions of that Bill be acceptable as carrying out the object my hon. and learned Friend has in view?

SIR R. WEBSTER: I am sorry I have not paid attention to the other Bill and do not know if it is on the lines I laid down last year. If it is it will afford a means of arriving at a form of language which might be accepted by the House.

(5.19.) MR. GOURLEY (Sunderland): I hope the House will not assent to the Second Reading. It is a manufacturer's Bill, constructed entirely in the manufacturing interest; it is intended to exempt large movable machinery belonging to manufacturers at the expense of the ratepayers, who will have to pay about 2d. in the £1 extra. I hope that before the House accepts the Second Reading of the Bill we shall know something more of its provisions.

(5.20.) SIR R. PAGET (Somerset, Wells): This Bill would involve a serious departure from the present law of rating, and yet its promoters say that all they want is that the law shall be defined. The measure is by no means one for merely defining the law, but one which would make serious alterations in it and involve a complete departure from a well recognised system. If the hon. Member who introduced the Bill had seen fit to read the evidence brought before the Select Committee he would there have found witness after witness declaring that if the law were altered in the direction now suggested a heavy burden of rates would be transferred from the shoulders of one class of people to those of another class. In Birmingham, for example, the kind of machinery which the Bill proposes to exempt has for years—ever since 1837—been rated as enhancing the value of property, and the suggested change would mean that £5,000 a year would be taken off the shoulders of the manufacturers and put on to those of the poorer inhabitants of that city. Who are they who would have to bear the burden? Not the manufacturing capitalists, but the people who live in a poor class of houses, and who are already heavily burdened. I venture to think no reason has been shown for this change. The House may be asked to consider whether this matter has ever been fairly investigated. It was investigated not many years ago. A Select Committee sat upon it and took a great deal of evidence, and what conclusion did the Committee arrive at? Did they say that the subject should be dealt with by a Bill of this sort? Nothing of the kind. What they said was that the whole subject of rating should be dealt with by the Government without the least possible delay. That was the Report, and the unanimous Report, of the Committee after they had investigated the matter for weeks and weeks. Their conclusion was not that there should be introduced a fragmentary measure like this to relieve the pockets of a certain class of the community at the expense of others. They recognised the difficulties connected with the subject—and everyone who has taken the trouble to inquire will find that there are great difficulties, and that the law really does require reform. It is hardly fair at this hour (5.25) on a Wednesday afternoon to ask this Assembly to come to a conclusion directly in the teeth of the unanimous recommendation of the Select Committee. I was astonished at the speech of the Attorney General, for it appeared to me that he was perfectly prepared to assent to the Second Reading—to the Second Reading of a Bill which, by the admission of its own promoters, is not to be considered by the House, but is to be remodelled upon the scheme of another Bill. There are two of these Machinery Rating Bills—Bill No. 1 and Bill No. 2. The leading principle of this Bill, Bill No. 1, as defined in the clauses, is entirely different to the leading principle of the other measure. Its promoter would allow it to stand over until the other measure comes up, for according to his own explanation it does not carry out his intention. He proposes to alter the Bill by removing the whole of its interior, and substituting the whole of the interior of Bill No. 2. That is not the way the House is accustomed to deal with questions of principle. A Bill of this kind ought to have been introduced in such a shape as to clearly indicate its object. But the supporters of Bill No. 2 are not much enamoured of their own offspring, for they admit that it will want serious alteration. [*Cries of* "Divide!"] Some hon. Members appear to me to be in haste to come to a conclusion. I do not view the question from their standpoint at all. I think that when you are asked to consent to hasty legislation which is going to unsettle the whole law with regard to the rating of machinery, you should mark this, that the law as it stands is well known, and has been fought in many a Law Court. Case after case has been tried, and the law has clearly established what is rateable and what is not rateable, and I venture to say that these ideas as to definition are entirely erroneous. The highest legal authorities can tell us that they know what the law is without any further definition. I ask any legal authority whether he would advocate unsettling all the Judgments which have been given on the question of rating? If not, I would then ask why should we pass a Bill of this nature?

It being half-past Five of the clock, Mr. SPEAKER proceeded to interrupt the business,—

Whereupon, Mr. WINTERBOTHAM rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question, and the Debate stood adjourned.

Debate to be resumed upon Wednesday, 25th February.

ELECTORS' QUALIFICATION AND REGISTRATION BILL.—(No. 44.)

Order for Second Reading read, and discharged.

Bill withdrawn.

COMPANIES ACT (1862) AMENDMENT BILL.—(No. 146.)

Bill read a second time, and committed for Wednesday, 25th February.

TRADING (REGISTRATION) BILL. (No. 183.)

SECOND READING.

Order for Second Reading read.

(5.34.) MR. A. O'CONNOR (Donegal, E.): The object of this Bill is the same, or much the same, as the object of the Registration of Firms Bill of the hon. Member for Islington. That hon. Member has told me that the Government have assented to the proposal that that Bill should be referred to a Select Committee. I desire to ask whether the Government will assent to the same proposal with regard to this Bill? in which case I shall be willing to move the Second Reading for that purpose.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am sorry to say I am not myself personally acquainted with the provisions of the Bill, and, in the absence of my right hon. Friend (Sir M. Hicks Beach), I am not able to assent to the Second Reading now.

(5.35.) MR. A. O'CONNOR: The two Bills are precisely the same in principle.

Second Reading deferred till tomorrow.

LICENSING (IRELAND) BILL.—(No. 180.)

SECOND READING.

Order for Second Reading read.

MR. T. M. HEALY (Longford, N.): I will not keep this Bill on the Paper if the Government object to it.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am not in a position to accept the Bill.

MR. T. M. HEALY: Then I move that the Order be discharged and the Bill withdrawn.

Motion made, and Question, "That the Order be discharged and the Bill withdrawn," put, and agreed to.

MOTIONS.

EDUCATIONAL ENDOWMENTS (BANFFSHIRE) BILL.

On Motion of Mr. Asher, Bill to make better provision for the administration of certain Educational Endowments in the County of Banff, ordered to be brought in by Mr. Asher, Mr. Duff, and Mr. James Campbell.

Bill presented, and read first time. [Bill 208.]

TRUSTS AMENDMENT (SCOTLAND) BILL.

On Motion of Mr. J. B. Balfour, Bill to amend the Law of Trusts in Scotland, ordered to be brought in by Mr. J. B. Balfour and Mr. Crawford.

Bill presented, and read first time. [Bill 209.]

PUBLIC PETITIONS COMMITTEE.

Third Report brought up, and read; to lie upon the Table, and to be printed.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 184.)

Bill, as amended, to be printed. [Bill 207.]

House adjourned at twenty minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 12th February, 1891.

COLONISATION (HOUSE OF COMMONS).

Leave given to the Viscount Gordon (*E. Aberdeen*) to attend the Select Committee of the House of Commons (pursuant to message of Monday last) if his Lordship think fit, and, his Lordship (in this place) consenting thereto, a message sent to the Commons to acquaint them therewith.

CUSTODY OF CHILDREN BILL [H.L.]
(No. 31.)

THIRD READING.

Order of the Day for the Third Reading, read.

Bill read 3ª (according to order).

***LORD NORTON**: My Lords, I have given notice of an Amendment, which I read the other day to your Lordships, to Clause 4 as proposed, and I did so with great regret that I should have to delay a Bill for which I am sure the country will be greatly indebted to the noble and learned Lord on the Woolsack, and in the purport of which I fully concur. I must say that I still think the Bill as now drawn will be a dead letter, because the parents who are intended to be dealt with are of a class who will never sue for a writ of *habeas corpus* to get the custody of their children. The fees alone in the High Court would be a bar to their so applying. The Bill also does not touch the class of cases chiefly in view, namely, those of vicious parents, throwing away all the good training of a child in an Industrial School when the child's term of detention has expired. My Amendment is upon Clause 4. That clause says that when the Court has rejected the application of a parent on the ground that he is wholly unfit to take care of his child, if the Court is of opinion that the child is being brought up by its foster parent or by the Institution taking charge of it in a religion different from that of the reprobate parent, it shall be the duty of the Court to secure that the child shall be removed from that better training, and shall be taught in the religion which has led to its abandonment and to the parent's unfitness. This may be a necessary reservation of the parental right in a Bill in which all other parental rights are very properly thrown over; but what I want to point out is that if there are no means of teaching the child in the reprobate parent's religion, of course the provision fails. No Act of Parliament can compel the performance of an impossibility. If there are means, there are no funds provided in the Bill to replace the funds theretofore supplied by those taking care of the child.

Amendment moved,

> In Clause 4, page 2, line 11, after ("brought up") to insert ("Provided means can be found available for the education of the child in such religion, and any additional cost so incurred shall be a charge on the school-rate, if any, in the district.")—(*The Lord Norton.*)

THE LORD CHANCELLOR: My Lords, I am sorry to say I cannot accept the noble Lord's Amendment, for various reasons. In the first place, I think I can show him that inasmuch as the provision which he has just read runs through the whole clause, and is a necessary power in it, what he proposes would be an unjust taxation of some of Her Majesty's subjects, and one which this House has no power to make. The only effect would be that, having given an expression of opinion upon the matter, the proviso would have to be struck out of the Bill as one of the definitive measures. I observe that the noble Lord, in giving his opinion of what the clause provides, says that it shall be the duty of the Court to provide for the education of the child in the religion in which the parent would have the right to have it brought up. That is not the clause. The noble Lord is mistaken in his view of it. The clause says in terms that—

> "The Court shall have power to make such order as it may think fit to secure that the child shall be brought up in the religion of its parent"

whose legal right it is to secure that the child shall be so brought up. Therefore, the noble Lord will see that instead of its being any statutory obligation or duty on the part of the Court, the Court is simply empowered, if it shall think fit, to make such order as the circumstances of the case may require. Personally, I should not be averse to some such provision as I think the noble Lord has in his mind, although the language of his Amendment, if he will forgive me for saying so, is somewhat vague. I think that what the noble Lord means is that where the parent of a child is, in the opinion of the Court, unfit to be entrusted with its care, and the child is being brought up in a religion different from that of the parent, if the parent has no means to provide for the child being brought up in that religion, there is apparently presented to the Court the difficulty of either allowing it to be brought up in a religion contrary to the wish of the parent or of delivering it up to the parent. I see the point at which the noble Lord aims, but I do not think the difficulty arises. He has, I think, mistaken the effect of the clause. Here, we will say, is a Protestant parent applying to the Court and desirous that his child shall be brought up as a Protestant; the child is being up brought as a Roman Catholic, and yet the Court would have only power to continue it in the custody of a person who certainly would not provide for its Protestant instruction. That is the difficulty in the noble Lord's mind. Well, I do not see the apparent difficulty, but he omits to consider that the whole matter is referred to the discretion of the Court, and I should imagine the Court will exercise its discretion in the best way possible for the interests of the child. It is not for me to say what the Courts might think proper to do; but possibly they might think it better that the child should be brought up in the Roman Catholic religion, although the child of a Protestant, or *vice versâ*, and taught its moral and religious duties, rather than that it should be taught nothing of the kind at all. It is very likely the Court would come to that conclusion. I will not say what conclusion I should come to myself, though I have a strong opinion on the matter. I doubt very much whether any Court would consent to take the noble Lord's view as to the provision that should be made for children who would have no religious teaching. I am afraid he would encounter a very strong body of opposition, if he were to try to establish a kind of sectarianism in these cases at the expense of the State. But I understand that the noble Lord admits the Bill is a useful and desirable one, and let me also call his attention to the fact that this section was agreed to without a Division, by a very large Committee representing both Protestant and Roman Catholic Peers. The religious difficulty did not arise. This religious question is the one question which I believe would be found most likely to imperil this Bill. Do let me, therefore, urge upon the noble Lord not to press his Amendment to a Division. If it passes with the full authority of this House that this the greatest of difficulties, the religious question, has been surmounted, it will go to the other House with a weight which it certainly will not carry if it is only passed by a majority of your Lordships. I do, therefore, again urge the noble Lord, fully recognising that the Bill is of importance and is greatly needed, as he says it is, not to press his Amendment to a Division.

*Lord NORTON: After what has fallen from the noble and learned Lord, I beg leave to withdraw my Amendment.

Amendment (by leave of the House) withdrawn.

THE EARL OF ABERDEEN: My Lords, before the Bill is put before the House for Third Reading, I should like in a very few words to call attention to the immense satisfaction with which the passing of this Bill will certainly be regarded, especially by the vast number of people who have long been engaged in that most difficult and most important philanthropic work—the training of neglected children. Even speaking within the range of personal observation and experience, one can testify to the fact that the difficulties of that work which are intended to be dealt with and overcome by this Bill, are of constant occurrence. The noble and learned Lord has alluded to the future of this Bill in other regions beyond. I am sure that the fact of its having been introduced by himself, and having received the approval of so many noble Lords in this House, ought to afford a very favourable prospect as regards its future. At any rate, it should surely remain free from the criticism that this is a piece of sentimental legislation. I should rather be inclined to think that some of the criticism indulged in in other quarters has been of a sentimental kind; I refer to the almost superstitious dread which seems to actuate the minds of some persons of any interference with the rights, privileges, and responsibilities of parents. There is certainly one thing which this Bill will bring before a certain class of parents in a very forcible manner, and that is the responsibilities which they should recognise as attaching to them, and more especially in the matter of paying for the maintenance of their children, who have been brought up in institutions and by charitable people. My object in rising is to express my grateful appreciation of the action of the noble and learned Lord on the Woolsack in introducing this Bill, and the immense satisfaction with which it is regarded by all classes.

Bill passed, and sent to the Commons.

LICHFIELD CATHEDRAL BILL [H.L.]

(No. 6.)

Read 3ª (according to order), and passed, and sent to the Commons.

COLONIES (CONFERENCE ON IMPERIAL TRADE AND DEFENCE).

THE EARL OF DUNRAVEN: In asking your Lordships to agree to the Motion which I shall presently have the honour to read, I do so with a feeling of considerable responsibility upon me. It is not by any means a light matter to ask your Lordships to affirm that it is advisable that representatives of the various component parts of the Empire should be invited to meet together for conference in London. Such a Conference is, in my opinion, only to be justified when there are matters of very grave import indeed, affecting the whole Empire, to be discussed. But I think there are such problems now ripe for solution—problems and questions of a very far-reaching character. I do not mean to say that it might be possible to arrive at a solution of them at any one meeting of the Conference, but there are questions which are clamouring for discussion of a much more authoritative character than can be carried on merely by an interchange of views between private individuals. They are problems of such a character that they can only be ultimately solved, in my opinion, by such an authoritative discussion as could take place in such a Conference as I suggest. I have a good precedent for my Motion. It is only four years ago since representatives of the colonies met in London the Ministers of the Queen to consider weighty matters affecting the welfare of the Empire. That was an event of great moment. It was the first time in the history of this country that the Mother Country and the colonies had ever met together to discuss matters face to face. As long as the British Empire endures the first occasion in which the mother and her children met together to consult must stand out as a remarkable landmark in the history of our race. Whether that landmark shall in the opinion of historians mark the point at which a gradual decline towards disintegration takes place, or whether, on the other hand, it shall point down a long vista of united and peaceful progress, I think depends very much indeed upon the wisdom and the action of the present generation. Probably the noble Marquess the Secretary of State for Foreign Affairs would not absolutely deny that the settlement, or partial settlement, of some difficult matters then in dispute with foreign countries was facilitated by the informal interchange of views to which the occasion of the Conference gave rise. And a great deal of good resulted also—an amount of good which must not be undervalued simply because it cannot be measured or weighed and read within the four corners of an Act of Parliament—from the contact and free interchange of views that took place between representatives of all the colonies and Her Majesty's Ministers. We learned a great deal about the opinions, the wishes, and desires of the colonies, and the colonies probably learned a great deal about each other, and they learned also probably a great deal that they did not know before as to the practical difficulties attending the management of a great Empire. In all these matters, to say the very least of it, as well as in other respects, another Conference could not possibly do any harm. Certain matters which were under discussion at that Conference are still unsettled, and ought to be settled. The Conference, I believe, did a great deal in the way of defence. A good deal has been done in legal matters;

legislation is in progress with the object of enabling Judgments of Colonial Courts to be enforced in this country, and those of the Courts at home to be enforced in the colonies. A good deal has actually been done in matters relating to bankruptcy, probate, letters of administration, and the like, and I think I am right in saying that there is practical unanimity as to such important subjects as the saving of life at sea and the Merchandise Marks Act. But other matters are not settled, such as the investment of trust moneys in Colonial Funds, an alternative telegraphic route to the East through Canada, and cheaper telegraphic communication. I might mention many other matters, but I mention those to show that even in practical matters such as were introduced at the last Conference a great deal remains to be done, and might be usefully undertaken if another Conference were assembled. But those are, comparatively speaking, small matters. The two subjects, however, to which I wish especially to call the attention of the House are very large and grave matters indeed. If the last Conference was remarkable in what it did, it was also remarkable in what it left undone. The subject of organisation for military defence was the most prominent matter laid down for discussion, and yet, strange to say, very little indeed was done in respect of it. A great deal was done in the direction of increasing the naval resources of the Empire; and the direction which it took was that of providing special ships, a special squadron, for the defence of a certain group of colonies, the expense being shared between the mother country and the colonies interested. I have nothing to say against that principle of applying mutual help localised in that way. On the contrary, I think that is the direction in which the principle should be applied. I believe very strongly in the principle of individuality, and that mutual help and self-help should go together; but at the same time I should like to see the great principle of mutual obligations, of mutual responsibilities, and of mutual help applied in a larger, a more unselfish, and a more Imperial spirit. In the proposition that I shall make, in the propositions which I should wish to see introduced at the Conference, I admit that I am coming near the confines of a proposition which I consider to be quite untenable; it may be urged, if mutual help is to become the principle observed, that all the subjects of the Queen are interested in securing that the forces of the Crown should be able to protect them in either offensive or defensive war, and therefore that all the subjects of the Queen should contribute in due proportion to the maintenance of those forces. That is a proposition or assertion which I consider entirely untenable, in practical politics at any rate, because to carry out such an idea as that would necessitate such an amendment and alteration of the Constitution as would amount to a complete revolution. It would require the creation of a Parliament or of a deliberative body of some kind, which should have the power of raising taxes for the maintenance of the forces of the Crown, and, of course, dealing also with questions of peace or war and all other questions in reference to which the forces of the Crown might be called upon to operate. That is a matter with which I have nothing now to do, and I shall stop far short of any proposition of that kind. I think that mutual help can be given and that mutual responsibilities can be kept within strictly defined limits without necessitating any change whatever in the Constitution or without creating any difference whatever of that kind. It is, of course, impossible to say offhand that the British Empire is more interested in any one particular portion of the Empire than in any other portion, or that it is more concerned for one fortress than for another fortress within its limits; but it is easy to see, at any rate, that the British Empire as a whole and every portion of it, individually and collectively, is especially and particularly interested in one matter, and that is the security of our water-borne commerce and our right of access to the markets of the world—in other words, the security and safety of the great highways of the sea. That is a matter which can be treated quite separately and independently of any other operations of war by sea or by land. You may divide the forces of the Crown for practical purposes into three classes: the forces organised for purposes of purely local defence, the regular forces of the Crown, naval and military, and the forces maintained for the special purpose of securing our commerce and enabling our merchants to send their merchandise in safety across the oceans. That is a matter which I think concerns all portions of the Empire in a degree and to an extent quite different to the degree and extent in which we are concerned in respect of any other defensive or offensive matter, and on that account I can see no reason why Imperial funds should not be raised for a purpose in which the whole Empire—every portion of it—is so especially interested. What I should like to see done would be that a fund should be raised by the mother country and the self-governing colonies, to be devoted to the proper armament, and maintenance, in a proper state of defence, of certain coaling stations and certain strategic points, and the complete equipment and maintenance of a fleet of swift ocean cruisers. It is impossible for me to pretend to say what coaling stations or other places should be selected to be maintained by such a fund, or what number of ships would be necessary, or of what particular kind they should be, or what amount of money would be required, or what would be the best method of raising the money. But I will say this: that, in my opinion, by far the best way of raising such a fund would be by the imposition of Customs' duties, because I believe that such a plan would work automatically, fairly, and easily; but I admit that it is open to the great objection, from our point of view, that as the amount to be raised would be infinitesimally small as compared with the value of foreign imports, the expense of the machinery for collecting the duties would be out of all proportion to the duties to be raised. That, of course, is a serious matter as affecting a country like this, which has, practically speaking, no ready machinery for collecting Customs' duties of that kind. All those, however, are matters of detail; they would have to be and could only be decided in such a Conference as I ask for. No doubt there might be differences of opinion on such matters of detail, but I have no doubt that they would be got over and adjusted in that spirit of compromise and that spirit of give and take which is so characteristic of a practical race. On the main principle, however, I do not anticipate that there would be any very great difference of opinion. I believe that the great self-governing colonies would be glad to recognise that the time has come when, in a matter of this kind, they might reasonably be expected to take upon themselves some share in fulfilling obligations with us. I believe that they would be glad of an opportunity to do so, and I do not anticipate—on the great main principle that it is advisable and desirable and legitimate that a special fund should be raised for this special purpose—that any large difference of opinion would arise. There is another reason which argues strongly in my favour, and that is a matter which is personal to ourselves in the United Kingdom. It is, and I should imagine always will be, a great temptation to all Governments to neglect their duties in respect of those coaling stations and strategic points on account of a desire to appear economical. I should myself be very far from saying that the great spending Departments of the Government are conducted with the greatest economy possible now. I am not at all sure that we taxpayers get the very best value for our money that can be got; but it is possible for a Member of Parliament, and even for a private individual, to arrive at a tolerably fair estimate as to the condition of the Army and the Navy. No Government would neglect its duties too far in that respect, being naturally fearful of the "wrath to come" which would overtake them; but in respect of the arming and protection of our coaling stations and matters of that kind the case is far different. I defy any one of average intellect and ingenuity to find out anything certain about the condition of these coaling stations. They are of the utmost importance to us. We live day by day—we get our daily bread—by our commerce; our commerce in time of war is absolutely dependent on our fleets, and our fleets in turn are absolutely dependent upon the coaling stations and other strategic places which can succour them, and where they can obtain fuel and supplies. The whole safety of our commerce in time of war depends upon those little places scattered about the world which the valour of our forefathers has coloured red upon the map; and yet those little centres of security are practically speaking utterly ignored, and utterly unknown to the people of this country. Those places lie altogether outside their ken, they know nothing of them, and, what is worse, it is impossible to bring the existence of those all-important spots belonging to the British Empire and their condition under the focus of the most scrutinising eye. Owing to that and to many other reasons, I say that the temptation of all Governments (and of course I speak entirely in the abstract) to scamp their work in that respect and to neglect their duty is very great; and I submit that it would be to the advantage of the United Kingdom and of the whole Empire that matters of so great importance should be lifted clean out of range of the possibility of being interfered with by any Party considerations whatever, and should be maintained and administered by an Imperial fund, which could not in any way be influenced by Party politics either here or in any of the colonies of the British Empire. My Lords, those are the reasons why I am anxious that this question of the creation of a fund for certain Imperial purposes, that is to say, for maintaining a fleet of swift ocean cruisers and for keeping in a proper condition of defence the coaling stations and other strong positions and fortresses should be submitted to the discussion and consideration of the representatives of the colonies, meeting Her Majesty's Ministers and the naval and administrative advisers of the Crown. I believe that good results would follow, and that if such a fund was formed and maintained, it would introduce a very wholesome principle—that of mutual obligation, mutual responsibility, and mutual help; and I also believe that it would add greatly to the stability and security of our commerce and trade in times of difficulty or of war. That is the first matter which I should like to see submitted to a Conference, and I turn next to another and perhaps a more important matter. I will now deal with the encouragement of trade within the Empire—the desirability of developing the material resources of the Empire. A great deal, no doubt, can be done in that way by greater facilities of communication and matters of that kind; but it is useless to blink the fact that if anything definite and lasting is to be done it can be accomplished only by a system of preferential treatment within the Empire. I look at that from three distinct points of view—first of all, the advantage to be gained in developing our resources within the Empire; secondly, from the point of view of counteracting the influences which in their tendency are dangerous to the principle of unity of the Empire, which attract and deflect British capital from profitable investments in the Empire; and thirdly—and most important of all—from the point of view of additional strength which it would give to those ties which already bind the Empire together. It was a subject which was mentioned at the last Conference, and upon which a most interesting and able discussion, or rather conversation, took place, but as it was a matter which was practically out of order and not contained in the reference to the Conference, it was, of course, debated in a more or less perfunctory manner, and the discussion of it was, as it naturally would be, partially paralysed by the knowledge that no practical result could ensue. What I want is to have that most vital question discussed at the proposed Conference with the view of producing some practical result. I do not wish to go into the matter at any very great length, but I must ask your Lordships to consider whether, in view of the general commercial attitude of foreign countries towards this country, it is not at any rate legitimate to do something to counteract the effect of foreign tariffs in attracting British capital? Ought we not to do so if we legitimately can, and especially if, when doing so, we can also accomplish another very desirable result? What is the general attitude towards this country? On every side we see the barriers of hostile tariffs raised higher and higher against us. Consider for one moment the present fiscal policy of the United States, the effect which it has upon British industry and upon Canadian industry, and the effect which it has upon the principle of unity as between Canada and the Mother Country. I do not for a moment mean to say that what is known as the M'Kinley Tariff was designed with any hostile intentions against this country. In fact, the United States have told us over and over again that it was not designed with any hostile intentions against us: and as they say so, of course it was not. Still, as a matter of fact, it has very unpleasant results, and of one thing, my Lords, you may be perfectly sure, that is, that not one atom of the stringency of that tariff will be relaxed out of consideration for this country. So great is the patriotism of the people of the United States that I feel sure, whether it be in respect of the provisions of that tariff or in respect of the extremely irksome regulations attached to it, or whether it be in a matter which I have seen remotely mentioned, the granting of increased subsidies to lines of ocean steamers—if they think it necessary to do anything of that kind to benefit their own industries—it may make them very unhappy, but they will manage somehow or other to bear the inconvenience for the purpose of so benefiting themselves, while reflecting that they are inflicting injuries on British and Canadian industries at the same time. I will not argue the point whether capital is deflected from its natural channel by those means. Whether anything can be done to remedy it or not is a matter of opinion, but I do not think the facts will be gainsaid. I will pass very lightly over this, because, after all, the question which interests and which influences me most is the great question of the unity of the Empire. I believe that it is best for the interests of every portion of the Empire, of every colony, of every dependency, and of the mother country, that the great principle of unity should be maintained, and I am firmly convinced that the best and the surest and most lasting way in which it can be maintained is by making it pay to do so, by making it a practical material advantage to them all to remain portions of one Empire. What are the ties which bind us together now? The ties that bind the Empire together are no doubt strong, but, practically speaking, they are ties of sentiment, community of origin, of race, blood, and religion, common institutions and common traditions, all the ties which arise from common ancestry, and very strong ties they have proved themselves. There is one tie, however, and that perhaps, in some respects, the strongest of all, which is wanting—community of material advantage. We must not forget that ties of sentiment must tend to become weaker and weaker. The natural affection of a man for the country of his birth, and the feeling of affection with which we all look towards a country where those who are near and dear to us dwell—all those naturally strong human feelings must gradually tend to become weaker. No doubt the sentiment of patriotism in the largest sense will remain, but the actual affection of a people for the place of their origin must become weaker, and all attractions of that kind must tend to shift from these Islands to the various countries which are the actual native land. Now, community of material advantage may sound very sordid and very commonplace, but still, as a matter of fact, it is true that the strongest tie that can bind men together and communities together is that of community of material advantage in matters of trade and commerce. It is perfectly true that trade and commerce are the most fruitful sources of jealousy and of international quarrels, but it is true also that trade makes and cements the strongest feelings of attachment and friendship. Such community of interest can only be gained in one of two ways; either by commercial federation or by preferential treatment. My Lords, I look upon the commercial federation of the Empire as a dream. I do not mean to say it is a dream incapable of realisation; but absolute Free Trade throughout the Empire I look upon, for all practical purposes, as nothing but a dream. But the other—preferential treatment—the granting of special advantages within the Empire, is by no means a dream. That is a matter which can be practically realised and brought into manifest life by a little sacrifice of principle or, might I say, a little sacrifice of prejudice on our own part. There is no physical difficulty in the way. The British Empire can produce everything that man may need. There is not a product beneficial for man that does not naturally grow on British soil. There is nothing that can be made up and manufactured that is beneficial to man that cannot be made up and manufactured on British soil. The British Empire is, or if it is not now, it could very easily become, practically self supporting; and, therefore, in advocating preferential treatment I am not advocating anything supremely or physically difficult. I am not advocating the forcing of industries by anything in the nature of Protection. All that I am doing, all that I wish to do, is to endeavour to develop all our natural capacities, all our national resources, by the help of British capital. I desire to do something to counteract influences which are deflecting and dragging British capital abroad, taking it away from profitable investment within the British Empire; and I want to create that common material interest which must—I will not say alone—have a very strong influence in determining the direction in which the component parts of the British Empire will progress and grow in the future. What are the objections? The main objection that I know of lies in the fiscal system pursued by this country. It may be argued that Import Duties are in themselves utterly abominable things, and that no good can ever arise from their imposition. That is a matter which I will not discuss. It may be argued that any kind of departure from our present system must be radically wrong. That is a matter which I will not discuss either. I will grant for the sake of argument that our system is absolutely perfection itself, and I will grant for the sake of argument that it is absolutely wrong in principle to impose any more duties; but even so, I would appeal to your Lordships to consider whether there are not exceptions to every rule—whether there may not be circumstances to justify a departure in one instance from what is otherwise a very sound general principle; and I would appeal to your Lordships to say whether the present is not such an exception—whether the object to be aimed at, the strengthening of the ties which bind the Empire together, would not afford such an exception as would justify us in departing a little from the principles which we may hold in themselves to be in general absolutely true? One thing is perfectly certain, it is impossible for us to remain standing still. In one of two directions we must move. We must move either in the direction of preferential treatment within the Empire or in the direction of preferential treatment for the foreigners. It is not necessary for me to remind your Lordships what are the directions in which those two different courses must lead us. This preferential treatment could be brought about without interfering in the slightest degree with the perfect liberty of action of the colonies. They could raise their revenue by any means they liked. They could take any measures they chose for the development of their own resources. They might make any arrangements among themselves. They might, for that matter, if it was thought desirable, make any arrangements with foreign countries. The only thing they could not do would be to give more favourable treatment to goods of foreign origin than to similar goods of British origin. Now I maintain that discrimination in favour of a foreign nation by the United Kingdom against the colonies, or discrimination in favour of a foreign country against the United Kingdom by a British Colony, or discrimination in favour of one colony as against another—I maintain that such acts approach so near to commercial hostility as to be compatible only with the most shadowy ideas of a common allegiance. With this single exception, that foreign goods should not be favoured as against British goods, the colonies would maintain all the privileges and freedom that they now enjoy, every atom of it, under a system of preferential treatment for goods of British origin, as against similar goods of foreign origin. One other matter is very certain, and that is that the initiative must come from us. In the first place the great difficulty in our way lies in our fiscal policy, and not in the commercial policies of any of the colonies; and in the second place I think it is obvious in a great Imperial question of this kind that the initiative should come from the Mother Country, that is, from the heart and brain of the Empire. I think, my Lords, that the present affords a good opportunity. The commercial condition of the Empire is in a somewhat peculiar state. I have already alluded to the M'Kinley Tariff, and there can be no kind of question that the fiscal policy of the United States offers a temptation to Canada to enter into an illegitimate union. There is a sort of political parody of the duel scene in "Faust" going on in North America at the present time. Well, my Lords, there are many other questions which might come under discussion. I believe there is a Committee sitting now considering the Commercial Treaties in force. There are two questions which have exercised the minds of people both in the colonies and in this country, and those are the *status* of the colonies under the Commercial Treaties, how far they are free to enter into any commercial arrangements, their relations with each other—and also a far greater question, that is, how far it would be advisable that the colonies should have a more direct voice in the negotiation of Commercial Treaties. All those matters are at present under discussion, and, in fact, the commercial relations of the Empire are all more or less in a state of suspension, and are waiting for some force or energy which will enable them to crystallise again into definite shape. It would be a great misfortune, to my way of thinking, if the opportunity were lost—an opportunity for using that force or energy which will enable them to crystallise in the best possible way. I admit that it is impossible for statesmanship to run in any way counter to the natural development of the community. All these communities must, and will, infallibly develop in their natural direction according to the genius of the people, and as influenced by natural laws and by their environment and the circumstances which surround them; but statesmanship surely can do a great deal by promptly seizing opportunities, by strengthening the existing ties which now bind us, by supplying those ties which are now wanting, by uniting preference with International Law, and by doing all that is possible to counterbalance and counteract the evil which is being done by the artificial attraction and the artificial stimulus that is now given under the commercial and fiscal systems that are universal in foreign countries. It is quite possible that no immediate result would ensue from the Conference I suggest. I do not mean to say that I should expect the Conference would be able to lay down heads of Bills which should be submitted to our Parliament, and to the colonial Legislatures, or anything of that kind; and I admit at once there is not the slightest use in inviting the Conference to consider matters of that kind if they are to be met by a flat *non possumus* as to any change in, or relaxation of, the rules of our present fiscal system. But if they can be met with any degree of open mind on that point the greatest good would result from a Conference. All those matters of detail which are still unsettled—the effect of the most favoured nation clause upon the arrangements amongst the colonies themselves, the effect of preferential treatment within the Empire, the amount of duties which would have to be taken off colonial produce which is at present heavily taxed by this Free Trade country, the duties which would have to be put on foreign products, the amount of money that would have to be raised and the method of raising it for the creation of such an Imperial Fund as I have suggested—all these matters, and many others, would be discussed and threshed out in Conference, and can only be discussed and threshed out in Conference—hammered out by discussion and brought into such a shape as that they could be submitted to the people in the form in which a great scheme of a national character should be submitted to the people of this country and to the people of the whole Empire. My Lords, I believe that a scheme of that kind would commend itself at any rate to the democracies. Democracies are not slow to grasp large Imperial ideas and are keen enough to see the benefits which would accrue from them. In some respects the idea of instituting an Imperial Fund for certain common purposes of required defence and of steps to be taken in the direction of preferential treatment within the Empire in order to counteract in some degree the effects of foreign tariffs, and the addition of another powerful tie to the ties which already bind us, is an idea which I believe would be quickly grasped, and which would commend itself to the people. They would lay hold of the Imperial idea. The notion of a great Empire occupying the four corners of the earth, advancing steadily in the paths of peace and progress under one flag, exercising complete freedom to develop in every possible direction, according to their own individualities, and, at the same time, knitted together by the great tie of sentiment as well as of material advantage, is an idea which would commend itself, not only to the people of the United Kingdom, but of all the colonies of the British Empire. We should see also that if labour is to be benefited and is to be maintained in a superior position it can certainly best be done by the earnest co-operation in all trade and manufacturing matters between those countries in which the most similar ideas are entertained as to the conditions under which labour ought to be employed. All these matters will commend themselves to the people; and what I am most anxious for, what I most earnestly desire, is that those opinions, which are largely shared I think in this country and throughout the whole Empire, but which are comparatively vague and in the air now, should be wrought and brought into a tangible shape and form by discussion in a Conference, so that something definite, something they can understand, might be submitted to the people, not only of the United Kingdom, but of the whole Empire. That is my object, and I trust your Lordships will agree to the Motion which I have now to make.

Moved to resolve—

"That, in the opinion of this House, it is desirable that the Colonial Governments be invited to send representatives to a Conference to be held in London to consider the advancement of trade within Her Majesty's dominions, and the formation of a fund for certain purposes of Imperial defence."—(The Lord Kenry, *E. Dunraven and Mount-Earl.*)

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, my noble Friend has introduced to the House a subject of great interest and importance, and in doing so he has touched upon a still wider field and upon matters of still more imperious urgency. I shall have no temptation to follow or imitate my noble Friend, for I should fail in the eloquence with which he has dwelt upon the more sentimental and emotional portions of this subject, and I am the less inclined to do so because I think the subject is one which rather lacks treatment of the opposite kind. I have observed that all the questions which attach to Imperial federation while they create naturally the greatest interest and call forth speeches of the greatest power, seem to me to lend themselves more readily to peroration than to argument, and it is rather exactitude of expression and of reasoning that we require in dealing with a subject which may readily lead us astray if we allow ourselves to repose upon vague, sonorous generalities. My noble Friend asks us to summon a Conference—a Conference of the colonists; and I have to ask myself what are the considerations which should guide us in summoning a Conference. It is not a matter which can be undertaken by the colonial statesmen who join in it without very considerable inconvenience—inconvenience not only personal to themselves, but which, I believe, extends to the political systems which they work. I believe the eminent men who came over here four years ago found when they got home that political matters had by no means prospered during their absence. And we must remember that this Conference, if summoned, is a Conference purely of advice. They are not a Parliament which can pass Resolutions which will have practical effect. They are not even negotiators, a Conference in the diplomatic sense, which can bind the authorities from whom they came. The votes they give or any view they may have may be entirely repudiated by each colony from which they are deputed. Under these circumstances it seems to me we should be very careful only to make use of that instrument when we have some definite question to ask and some definite proposition to lay before them, which can be canvassed by the colonies which send them forth before they come, so that they may come here with a definite mandate which we know will be respected and upheld. Any other course, I fear, must lead to confusion. My Lords, I appeal to your own experience. You as a body have the power of summoning a Conference—one of the most august Conferences of the realm. You can summon the 12 Judges to give you advice; but suppose instead of laying before the 12 Judges certain definite questions which you desire to solve you were to merely ask them to give their opinions generally upon certain subjects on which you may be engaged, I am afraid the result would not lead to the explanation or illustration of the law. Now, looking at the Conference from that point of view, I confess I do not see what are the definite propositions which we are to submit to so distinguished a body if we invoke its assistance. My noble Friend has indicated two directions in which the Debates which he wishes to evoke would go. The first (I will give it in his own words; he has inverted the Order in his Motion) is the formation of a fund for certain purposes of Imperial defence. Now, of course, when you ask people to come together for the formation of a fund, they generally feel that that will end in an appeal to their pockets. No one imagines, when you ask them to come together for the formation of a fund, that it is for the purpose of putting anything into their pockets, and I am afraid the colonists might answer us:—"Imperial defence gets on very well now—the money comes from somewhere, and if you propose that the colonies should pay less than they do now, well, we do not object to it. But it would be very difficult to form any propositions upon that basis. If you propose the colonies should pay more than they do now," (and one alternative or the other is necessary if you are to propose any change at all)—"we should like to consider the matter at home for some time before we join your deliberations." I do not think the proposal to ask the colonists to come here to be taxed for larger contributions for Imperial defence would excite that enthusiasm throughout the Empire which my noble Friend seems to anticipate. But there is another difficulty in the way. "Colonies," unfortunately, is one of those vague words which cover so many things. The colonies which ought to be summoned to meet together in conference and which will contribute to this new war fund are the self-governing colonies. But when we talk of coaling stations and the protection of trade routes and the establishment of fast cruisers to protect our commerce we are not thinking exclusively of the self-governing colonies. We are thinking of other colonies as well, and I may say in a greater degree. For instance: I do not know of any coaling stations protecting trade routes which can be connected with our great North American colonies. How could we ask them to join in subscribing money to establish coaling stations for the protection of our trade routes? There are one or two, I believe, in respect of which the interests of our Australian colonies may be invoked; but in the main it is not the self-governing colonies, it is the Crown colonies and our great dependency of India whose trade has to be protected by these fast cruisers and coaling stations. I join with my noble Friend in all the anathemas he has invoked upon any Government which from motives of economy neglect them; but I do not think that we should advance the matter by asking the great Colonies of Australasia and of North America to join us in contributing to an expenditure for a system of defence in which their interests are, at all events, of a secondary kind. I do not think, therefore, that we have any proposition to lay before the colonies of a sufficiently definite and fruitful character in reference to the creation of a special war fund to justify us at the present moment in summoning a Conference on the subject. I do not, however, wish to enter into any negative engagements in the matter. I can quite imagine a state of things, whether partial or complete, in which a Conference or certain communications with the colonies may be very desirable; but, speaking merely from the present state of things, and from the circumstanes which now surround us, I cannot see that we have any proposition to lay before the colonies. Now I come to the other, far graver and more important portion of my noble Friend's proposal. My noble Friend's proposal practically is that we and the colonies should enter into a tariff arrangement to discriminate in favour of the productions of the Empire as against those of all the rest of the world. I am not going to use any deprecatory language of my noble Friend's proposal. We are surrounded by discriminating tariffs on all sides. Outside these Islands he is the greatest statesman who can propose the most discriminating tariffs. We have no ground for thinking that the Protectionist wave which has been sweeping over civilised opinion has yet reached its crown, and therefore we must needs speak with respect of such opinion, and we cannot dismiss and simply pooh-pooh any suggestions which are made. Even quite recently the French Committee on the Tariff has recommended, I believe, a discriminating Customs' Duty in favour of the French colonies of as much as 50 per cent. It will be an interesting experiment when it comes to work. My noble Friend's argument did not very clearly show in what light he regarded in the abstract such discriminating legislation. I should rather have said—I may be wrong—that in the abstract he disapproved it, but that, as retaliation, as defence against fiscal enterprises which are going on all around us, there was a good deal to be said on its behalf. Well, I am not in the least prepared to enter the lists against him on that subject. I know that I shall meet with a severe critic in the noble Earl opposite when I say that I have never yet been able to see the objection to the principle of retaliation as an essential part of the doctrine of Free Trade. We love peace, but that does not prevent us from keeping up an Army and a Navy, and from using them if necessary. We love Free Trade, but that need not prevent us from instituting retaliatory duties, if those duties should seem to us necessary and expedient. But whilst I have not the least desire or intention of meeting my noble Friend on the question of principle or arguing a very difficult economical question, I wish to meet him on the more familiar and easy ground of political possibility. I ask him to look at the state of opinion in this country, especially the state of mercantile opinion, the state of opinion in our commercial, manufacturing, and industrial centres, the state of opinion, above all, among the capitalists and the most educated classes, and say if he sees the slightest chance within any period to which we have a right to look forward of such a modification of opinion in this country as will enable any statesman, whatever his opinion may be, to propose the establishment of retaliatory duties. It seems to me to be absolutely out of the question. If you wish to set up a discriminating system in favour of the colonies as against the rest of the world, just consider what are the goods on which you would have to levy a heavy duty in this country in order to make that discrimination felt. They are grain, wool, meat. What chance have you of inducing the people of this country to accept legislation which would make these essential articles of consumption susceptible of such tariffs? I see no probability whatever of it. That being the case, I think we should be hardly behaving respectfully to the colonies if we asked them to send to a Conference to discuss a question when we know that the answer which many of them, at all events many of their statesmen, would give must be met immediately on our part by the intimation that such a thing is absolutely impossible. Whenever such a modification of English opinion takes place—if ever it takes place—so that this idea of discrimination of duties in favour of colonial produce shall be a fiscal possibility, I, at all events, shall not oppose the wish of my noble Friend to have the matter thoroughly discussed between ourselves and the colonies. But I hold that we are bound, if we ask them to attend a Conference, to lay before them propositions which we believe not only to be salutary, but practicable, and to ask them questions to which practical answers can be given. These conditions are not satisfied by the present state of things, and therefore for the present we think that the summoning of a Conference is not expedient.

The Earl of DUNRAVEN: I ask your Lordships' permission to withdraw the Motion; but before doing so, perhaps the House will let me say a few words. As far as I am concerned the noble Marquess attributes to me an intention which I really have not got; that is to say, I do not propose preferential treatment within the Empire for the purpose of retaliation. I unfortunately differ from the noble Marquess in that respect. I have very little faith indeed in retaliation. I should propose preferential treatment merely for the purpose of encouraging and developing the trade of our own colonies, and for the particular purpose which I mentioned of creating a strong tie for uniting the Empire together. I shall not argue the matter, because the argument would be very lengthy; but so far as I am concerned I wish to enter my protest against the assumption that any duty, or a duty which would be sufficient to give a preference to British goods, would have any appreciative effect whatever in increasing the price of food stuffs in this country. But that would be a large matter to argue. I should have to explain the immense development in the food-producing capacity of the world; I should also have to explain the great cheapening of practical necessities of life such as tea, coffee, cocoa, and other foods which are colonial products. But I am not going into all that. I simply do not wish it to be supposed that I am advocating the imposition of duties which could possibly have the effect of increasing the cost of the necessaries of life to the people of this country.

Motion (by leave of the House) withdrawn.

STANDING COMMITTEE.

Ordered, That a Standing Committee be appointed for the consideration of such Public Bills as may be committed to it by the House.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Appointed: The Lords following, with the Chairman of Committees, were named of the Committee.

L. Privy Seal. (*E. Cadogan.*)	L. Balfour.
E. Cowper.	L. Foxford. (*E. Limerick.*)
E. Stanhope.	L. Colville of Culross.
V. Oxenbridge.	L. Kensington.

The Committee to meet on Tuesday next, at half-past Two o'clock.

House adjourned at Six o'clock,
till To-morrow, at a quarter
past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 12th February, 1891.

PRIVATE BUSINESS.

CENTRAL LONDON RAILWAY BILL.

Order read, for resuming Adjourned Debate on Question [9th February,]

"That it be an Instruction to the Committee to whom the Central London Railway Bill is committed, that they have power to consider the propriety of inserting clauses in the Bill requiring payment to the Local Authority of a royalty or a share of the earnings of the Railway, after fair interest on capital and working expenses have been provided for as compensation for the right to tunnel under the public streets."—(*Mr. Thomas Henry Bolton.*)

Question again proposed.

*Mr. T. H. BOLTON (St. Pancras, N.): I beg to withdraw this Motion with a view of taking the discussion upon the principle involved in it upon the South Kensington and Paddington Subway Bill.

Motion, by leave, withdrawn.

LANCASHIRE COUNTY COUNCIL BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.10.) Mr. COURTNEY (Cornwall, Bodmin): Although I have no objection to allowing this Bill to proceed, I think the attention of the House ought to be directed to it. It is a Bill promoted by the Lancashire County Council. Last year it was proposed that County Councils should have power to promote Bills in this House, but the proposal was rejected. It is, nevertheless, contended that by the nature of their existence they have power to promote Private Bills, and I do not think that in an ordinary case this House would interfere with them. If they were to introduce an improper measure there would be the means of stopping them, and it is within the power of the Local Government Board to disallow expenses that have been improperly incurred. In this case the Lancashire County Council are proceeding at their own risk, and I do not suggest that the House ought to interfere with them, because if they are incurring expenses they have no right to incur, there will be means of correcting the evil. I only think that it ought to be brought distinctly to the knowledge of the House that this is a Bill which is promoted by the Lancashire County Council.

*(3.13.) Mr. LAWSON (St. Pancras, W.): I wish to ask whether, in the event of the expenses incurred in promoting the Bill being disallowed by the Local Government Board, they would have to be borne by the individual members of the Lancashire County Council? Is it contended that they would not have the power of introducing an indemnity Bill?

*(3.14.) The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): I am glad that the right hon. Gentleman has called attention to this Bill. Like himself, I am entirely in favour of the principle of the measure, but while I am in favour of the principle I also agree that neither the Lancashire County Council

nor any other County Council has power to spend money upon the promotion of a Private Bill. The question was raised during the discussion of the Local Government Act, and it was decided that no such power should be conferred. Notwithstanding that fact, the Lancashire County Council are promoting this Bill, the object of which is a very good one. Other authorities have incurred expense in promoting Bills which they had no power to promote. If the Auditor in auditing the accounts of a Local Authority sees that expenditure has been incurred which the Local Authority was not warranted by law in incurring, it would be his duty to disallow it. The hon. Member opposite (Mr. Lawson) asks me what would be the consequence in the case of this particular Bill if the auditor were to disallow the expenses. I imagine that the amount would be surcharged on the members who were responsible for the expenditure and who had signed the accounts. I do not think it would be necessary in that case to bring in a bill of indemnity, but an appeal from the decision of the auditor to the Local Government Board would probably be preferred. The Local Government Board would then look into the matter, both from a legal and an equitable point of view, and if they thought proper they would remit the surcharge. It is quite clear that a County Council has no right to promote such a Bill, and if they incur any expenditure in such a case it is at their own risk.

Question put, and agreed to.

SOUTH KENSINGTON AND PADDINGTON SUBWAY BILL—(*by Order.*)

Motion made, and Question proposed, "That the Bill be now read a second time.

(3.20.) MR. BAUMANN (Camberwell, Peckham): Before the Bill is read a second time, and we proceed to the discussion of the Instruction of which the hon. Member for North St. Pancras (Mr. T. H. Bolton) has given notice, I wish to enter a protest against the conduct of the promoters in regard to the measure. The Bill proposes to make a subterranean railway from Bishop's Road, Paddington, under Kensington Gardens and the Albert Hall, with a station in South

Kensington at a point which is, I believe, in the parish of St. John's, Westminster. The scheme raises a very important Metropolitan question—I had almost said a question of national interest, because the duty of preserving Kensington Gardens may be said to be one of national interest. I endeavoured yesterday to get the promoters of the Bill to adjourn the Second Reading until next week, but failed. It is obviously a question which ought not to be sent to a Committee upstairs in haste. An opportunity should be given to the Metropolitan Members and to the inhabitants of London generally of expressing their opinion upon the proposed invasion of the amenities of Kensington Gardens. Yet, not a single day has been allowed. In regard to other Bills the London County Council and the City Corporation have always been most obliging in fixing the Second Reading for a date that would suit the convenience of all who desired to oppose it, but the result of the tactics of the promoters in this instance is that I have not been able to communicate with the Metropolitan Members, and the people of London have had no opportunity of expressing their opinion in regard to it. I should like to ask why the promoters are so nervously anxious to force the Bill through the House. Promoters generally invite discussion, but I am afraid that in this case they consider that the more the Bill is looked at the less it will be liked. In the absence of my hon. Friend the Member for Devonport (Sir J. Puleston) I do not feel justified in attacking the Bill on its merits, but I make this protest in the hope that public attention will be called to the fact that Kensington Gardens are proposed to be tunnelled under and a station erected in the Gardens, for no other purpose than to bring money into the tills of the Albert Hall. I hope that before the Third Reading a sufficiently strong public opinion will have been aroused to save Kensington Gardens from this fate, and to prevent this iniquitous Bill from becoming law.

*(3.23.) MR. WHITMORE (Chelsea): I am not concerned in the promotion of this Bill, but I believe that it proposes to construct a new line between Paddington and South Kensington, by a subway under Kensington Gardens, and I hope the House will not at this stage

interpose any difficulty in its way. Without possessing any certain knowledge on the subject, I believe that the amenities of Kensington Gardens will not be interfered with, and there will be a full opportunity after the Bill has been in Committee of considering it on the Third Reading. At the present moment my constituents and the people of South Kensington and Brompton are obliged to make a very long circuit in order to get to North Kensington and Paddington, and in their interests I must support the Second Reading.

(3.25.) MR. COURTNEY: It is only fair to say that, as far as I know, the promoters of this Bill have done nothing unusual, nor have afforded ground for an attack that would prevent the measure from going before a Select Committee.

COLONEL MAKINS (Essex, S.E.): I support the Bill in the interests of the Albert Hall, and I feel with regard to Kensington Gardens that the public user is perfectly safe in the hands of the Chief Commissioner of Works, who would oppose anything that would be likely to be injurious to the Gardens.

*MR. BRUNNER (Cheshire, Northwich): I think, after hearing the hon. Member for Peckham, the House will be surprised to hear that the action of the promoters of the Bill has met with the approval of the First Commissioner of Works, and also the proposal to erect a station in Kensington Gardens.

Question put, and agreed to.

*(3.26.) MR. T. H. BOLTON: I beg to move—

> "That it be an Instruction to the Committee to whom the South Kensington and Paddington Subway Bill is committed, that they consider the propriety of inserting clauses in the Bill requiring payment to the Local Authority of a royalty, or a share of the earnings of the Subway, after fair interest on capital and working expenses have been provided for, as compensation for the right to tunnel under the public streets."

It was intended to raise the very important question involved in this Instruction upon the Central London Railway Bill on a permissive Instruction, but it has been thought to be more in order to have a mandatory Instruction. The same question arises on both Bills, and also upon a third Tunnel Bill which will subsequently come before the House. How many more Bills of the same character may come before the House it is impossible to say. The experiment of establishing the first tunnel railway (from London Bridge to Stockwell) has been a success both in an engineering and a financial point of view, and there is no doubt that this success will lead to other schemes, in which the public will be ready to invest their capital. The question assumes, therefore, very great importance in the interests of the public. The promoters of these Bills propose to avail themselves of the soil under the public streets, and to carry their railways to a large extent under the public streets. The present Bill proposes to empower the Company to make a tunnel railway from Paddington to South Kensington, without the payment or compensation to any one for the tunnel under the streets, to enter houses within 100 yards of the works, to shore them up and to repair any damage that may arise from subsidence. This particular tunnel railway will be very near the surface of the road, whereas some of the other tunnels are 30, 40, 50, and 60 feet beneath it. The idea is to carry the tunnel under the roads, so as to avoid the compensation which would have to be paid if it were made through private property. My contention is that the public have a right to claim compensation for the use of the sub-soil under the public streets. I know it will be suggested that the absolute freehold of the sub-soil is not vested in any public authority, but the public have a right to use the surface of the road and to use the sub-soil also for subways and for gas and water pipes, electric wires, and other purposes. The shadowy right of the landowner is hardly worth considering, as for all practical purposes the public are the owners of the roads and the sub-soil under them. In order to save expense we have now a private company coming here asking for legislative powers to use the sub-soil of the roads without paying anything for it, and also to secure other advantages in connection with the use of the roads. If they were to carry their tunnel 25 yards either one side or the other they would impinge upon private property, and have to pay enormous sums in the shape of compensation; but they ingeniously contrive to carry their tunnel through public property and thus to avoid any such payment. I think, however, that the public have a moral, if not a strictly legal, claim to some substantial consideration. If the company say the subsoil of the roads does not belong to the public, my answer is that it does not belong to the company, and if the public have no right neither have the company any right whatever. Indeed, they are now coming to Parliament to acquire the right. It is suggested that the public would be protected by giving the County Council power to purchase this tunnel railway on the lines of the purchase provisions of the Tramways Act of 1870. The absurdity of that proposition needs only to be stated to carry its own refutation with it. It is universally admitted that it is impossible to put in force the Purchase Clauses of the Act of 1870 without further legislation. In fact, I know of no way in which to protect the public except by imposing a rent or royalty, or by taking a share of earnings after the payment of interest on capital and working expenses. I do not ask for a confiscatory royalty or a heavy share of the earnings. On the contrary, I desire that only a fair amount should be paid by the company for the benefit acquired under the Bill. I do not believe that a provision of this kind would seriously embarrass the company. It is quite true that the Tunnel Railway from London Bridge to Stockwell has not been placed under these conditions, but that was an experiment, and favourable conditions were granted, in order to induce the public to invest their money. As the experiment has been successful, such favourable conditions are not necessary, and provisions in the interest of the public are now only reasonable. I do not propose to order the Select Committee to insert particular or definite clauses in the Bill, but simply to direct them to consider the propriety of inserting clauses such as those which I suggest, and, unless this Instruction is agreed to, I am afraid that the question which I am raising will not be fairly before the Committee.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to whom the South Kensington and Paddington Subway Bill is committed, that they consider the propriety of inserting clauses in the Bill requiring payment to the Local Authority of a royalty, or a share in the earnings of the Subway, after fair interest and working expenses have been provided for, as compensation for the right to tunnel under the public streets."—(*Mr. T. H. Bolton.*)

(3.40.) COLONEL MAKINS: The hon. Member has enunciated an entirely new principle, and I think it rather hard that this particular company should be made the *vile corpus* for trying the experiment. Powers of this kind are never granted by Parliament to any company except for the public benefit, and they will take care that the public get the benefit in one way or the other. It has never before been the practice, in regard either to schemes for gas or water, or the laying down of electric wires, to make the public partners with a private company. The pecuniary interests of the public are protected in the Bill, because if the line is made and turns out as profitable as its promoters hope, a large sum will be put into the public coffers by way of rates. I hope the hon. Member will not press the Instruction.

(3.43.) MR. ESSLEMONT (Aberdeen, E.): Having taken considerable interest in these tunnel schemes for several years, I wish to make one or two observations. The question is not, I understand, debarred from the consideration of the Committee, and therefore I think the Committee ought to be left entirely free, as they have been heretofore. My hon. Friend who has spoken on behalf of the public cannot ignore the fact that no Committee will sanction the scheme unless they believe it to be in the interests of the public. The experiment has been tried on the other side of the water and has been attended with success, and the principle now advocated is that the County Council, while contributing nothing towards a scheme which may be a failure, shall nevertheless share the profit if it is a success. There is nothing given up by the community, and I hope my hon. Friend will allow the matter to rest with the Committee, and not attempt to hamper their decision or relieve them from the responsibility which ought to rest with them. I should be quite ready to give consideration to a proposal to enable the County Councils, Corporations, or other Local Authorities to carry out these undertakings for themselves; but it is not fair to private companies for the public to stand over them and say, "We will take a share of your profits, but we will not take upon ourselves the responsibility of carrying out the undertaking."

*(3.47.) MR. LAWSON: My hon. Friend is wrong in thinking that this railway is asked to pay anything to the County Council. The only desire is to lay down the principle that the Local Authority, whatever it may be, shall have some profit from the user of the subsoil for a subway. I would not vote for the Instruction if I thought it would in the least degree embarrass the enterprise, but the Instruction itself lays down that a fair profit as well as the working expenses shall be paid before any royalty goes to the public. In the case of tramways, it has been laid down that the Local Authority shall have power to purchase after 21 years. When these enterprises are extended, as they undoubtedly will be, now that the tunnel railway on the other side of the water has become a success, there will be an increased difficulty in developing underground communications in any direction, on account of the use already made of the ground under the great arteries of communication. It is virtually impossible for the Committee upstairs to insert in the Bill similar clauses to those which were inserted in the Tramways Act, as nobody would wish to see our Local Authorities try to run our underground railways, and it will, consequently, be impossible for the Local Authority to obtain any compensation in that form or return for the user of the subsoil. I admit that benefit will be conferred by giving facilities to the public in the way of communication, but I think the House would do well to draw the attention of the Committee to the point, even if the Committee refuse to insert any such clause dealing with the question.

*(3.52.) MR. ISAACS (Newington, Walworth): I object to the Instruction on two grounds—first, on legal grounds, and secondly, on the ground of equity. So far as the law is concerned the hon. Member for St. Pancras has admitted that he has not a perfect case to put before the House. The veriest tyro in law as to public rights in land knows that the fee simple of a road is not vested in the Public Authority. He therefore asks the Committee to do that which in the present state of the law is absolutely illegal. And so far as equity is concerned I venture to think that there is a strong case against the Instruction. I am afraid that the hon. Member has not recognised how unduly the Railway Companies who provide under-ground communication between different parts of London are handicapped. They are heavily taxed, while the omnibuses have very little to pay indeed, and are allowed to pass freely over pavements which are laid down, repaired, and cleansed at the public expense. One under-ground railway alone, whose net revenue last year amounted to £208,000 contributed £25,435 in taxes and Government duty; in other words, it had to pay half-a-crown out of every sovereign of net income it earned in the shape of local rates and Government duty. The Omnibus Companies which are earning handsome dividends are subject to no rating or taxation of the kind. I therefore venture to think that the present proposal ought not to be entertained by the House.

*(3.55.) MR. BARTLEY (Islington, N.): As a Metropolitan Member I should like to say a word or two upon this proposition. It seems to me a reasonable proposition that some part of the benefit of these undertakings should go to the locality. No doubt the undertakings are rated to some extent; but despite that fact, I think the time has come, inasmuch as these subways will become very numerous, when a step in this direction should be taken, as it is an absurdity to suppose that the London County Council can undertake these speculations for themselves.

(3.57.) MR. J. ROWLANDS (Finsbury, E.): I listened with attention to what fell from the hon. Member for Walworth (Mr. Isaacs), but I must remind him that, so far as omnibuses are concerned, anyone can place them upon the roads; whereas we are asked now to give Parliamentary powers to a private company, and to hand over to them a distinct monopoly. We are told that this Instruction should not be passed because something similar was not put in the Tramways Act; but under the Tramways Act the Local Authority have a right to purchase the tramways after 21 years, and the Tramway Companies are bound to repair the whole of the roads on which their lines run, as also 18 inches on each side. I would ask those hon. Gentlemen who insist so much upon the legal aspect of the question, what contributions it is intended under the Bill shall be given to the freeholder? Have the company consulted him? If he has a right to the subsoil of the road, are they not asking the House to give them powers to ride roughshod over the interests of the very persons whom they now so kindly take under their wings. In my opinion no reason has been given why the Instruction should not be agreed to, and it is only right that if these great facilities are given to speculative companies, the public should maintain some lien, for the benefit of the community, on the monopolies thus created.

(4.3.) MR. COURTNEY: Undoubtedly the hon. Member for North St. Pancras has brought a very grave question before the House, and I think he deserves our thanks for having done so. But the Instruction is open to the objection which he had to urge the other day in regard to the Instruction moved in the Leicester case, namely, that it orders the Committee to do something which they have a perfect right to do without it, and this raises the presumption that a particular course is recommended by the House. I am not for a moment saying it is not desirable that the interests of the localities should be looked at, and the fact that subways have been made without a provision of this kind being insisted upon is no presumption against beginning now. One way of attaining the object of the hon. Member for North St. Pancras is by providing that, after the profits of the company have reached a certain point, arrangements could be made for cheap fares; another is the payment of a fixed rent; and a third is by entitling the locality, after a certain period, to acquire the undertaking. I would strongly urge the hon. Member to withdraw the Instruction, and leave the various points that have been raised to the Committee upstairs.

(4.7.) MR. JAMES (Gateshead): The hon. Member for North St. Pancras has laid before the House a somewhat plausible plan, but I do not agree with him that the undertaking on the other side of the water has yet been proved to be not only a physical but a financial success. I think it is altogether premature as yet to say that that undertaking has been of a nature to secure the full confidence of the public. I will not attempt to enter into the legal question further than that by saying, that if this Instruction is agreed to it will necessarily complicate and add to the legal difficulties. The whole question was carefully gone into and considered by a Committee last year, and there was a general opinion that the Local Authority ought to regard the promoters of schemes of this kind as their best friends. Unless something is done to relieve the present congested state of the streets there will be no alternative but for the Local Authority to construct new routes, at an enormous cost.

(4.10.) MR. NEVILLE (Liverpool, Exchange): I think it is perfectly clear that the soil which will be interfered with by the construction of this railway is not the property of the Local Authority at all, but of the owners of the adjoining land; and if the legal question is raised I am afraid the result will be to put money into the hands of the private owners instead of the Local Authority. The soil is only vested in the Local Authority down to a certain depth, such as is necessary for the construction for an ordinary street. I think it is quite clear if the Instruction is not withdrawn the results may be the reverse of what the hon. Member who has moved it desires to see.

(4.11) MR. PICKERSGILL (Bethnal Green, S.W.): I would suggest to my hon. Friend the Member for North St. Pancras that as his object has been accomplished in having brought this very important subject before the House, he should now, after the discussion which has taken place, withdraw the Instruction.

*MR. T. H. BOLTON: After the speech of the right hon. Gentleman the Chairman of Committees, and on the understanding that the suggestions contained in the Instruction will receive the attention of the Committee, I beg leave to withdraw the Motion.

Motion, by leave, withdrawn.

LEAVE OF ABSENCE.

To Mr. Richard Chamberlain, for one month on account of private affairs.—(*Viscount Wolmer.*)

FOREIGN TRADE (COMPARATIVE GROWTH).

Return ordered—

"Showing the total Imports and Exports for each of the years 1854, 1859, 1864, 1869, 1874, 1879, 1884, and 1889 of the following 12 Countries, viz., 1. France; 2. German Zollverein and German Empire; 3. Belgium; 4. Holland; 5. Russia; 6. Austria-Hungary; 7. Denmark; 8. Sweden and Norway; 9. Spain; 10. Portugal; 11. United States; 12. United Kingdom."—(*Mr. Howard Vincent.*)

ARMY OFFICERS' PAY, RETIREMENT, AND PENSIONS.

Address—

"For Return showing the Pay, Retired Pay and Pensions of Lieutenants and Warrant Officers respectively."—(*Sir John Colomb.*)

MOTION.

ARMY SCHOOLS BILL.

On Motion of Mr. Secretary Stanhope, Bill to extend to Army Schools the benefit of certain educational endowments, ordered to be brought in by Mr. Secretary Stanhope.

Bill presented, and read first time. [Bill 211.]

QUESTIONS.

LONDON WATER SUPPLY.

MR. TATTON EGERTON (Cheshire, Knutsford): I beg to ask the President of the Local Government Board whether his attention has been called by the Official Examiner to the condition and quality of the water supplied by the Grand Junction Water Company; whether he is aware it is the worst sample delivered by the company during the past 12 years, that it contains 50 per cent. more volatile matter, 300 per cent. more saline ammonia, and 250 per cent. more organic ammonia than the water supplied on the same day by the Chelsea Water Company drawing from the same source, and that it also exhibited marked browning on ignition of solids; whether the information now in his possession confirms his statement of 31st July, 1890, that there is "no abundant vegetation or cut grass, &c., spread about the Thames Valley," to account for the condition of the water; whether his advisers are still prepared to deny contamination with sewage, and will certify that this water is fit for human consumption; what position does Dr. Tidy hold with relation to the Local Government Board, and by whom his salary, as water examiner, is paid; how many weeks' supply is stored by the Grand Junction Company; and what steps the President has taken to compel the company (after his answer that the filtration power was deficient) to create a larger storage and filtration?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My attention has from time to time been called by the Official Examiner to the condition and quality of the water supplied by the Grand Junction Water Company. When a question was asked in the House on the 31st July last with regard to this company, I stated that the attention of the Directors had been repeatedly called to the necessity for increased filtering area, and that they had recently intimated that the construction of additional filters would be undertaken without delay. The Directors in accordance with this undertaking obtained plans and estimates, and in the autumn of last year entered into a contract for the construction of filters, having an area of about six acres. The works were unfortunately interrupted by the severe frost during part of November, December, and January. Work has since been resumed and is now making active progress; but as a matter of fact so far as the means at the disposal of the company for filtration are concerned, the company are at present in precisely the same position as in July last, when I gave the answer referred to. The sample of the water delivered by the company to which my hon. Friend refers, is, I presume the sample which is referred to in the Report of an analysis by Mr. Cassal with which he has been so good as to supply me. This sample appears to have been submitted to the analysist on the 30th January. I am not in the position to make any statement as to the accuracy or otherwise of the analysis referred to. But I may state that I am advised by Dr. Frankland that the proportions of volatile matter, saline ammonia, and organic ammonia, furnish no evidence of sewage contamination. Analysis of a sample of water that was taken by Dr. Frankland on the 22nd January last showed that the water delivered by this company was the best of the Thames derived waters. After notice was given of the question of my hon. Friend, I arranged for further samples to be taken, and to be analysed. These samples were obtained on the 5th February, and Dr. Frankland, in his Report, states that they both contained a very large proportion of organic matter, chiefly of vegetable origin, and that during the 23 years in which he has submitted the waters delivered by the eight companies supplying London to the same process of organic analysis he has never met with a sample so strongly contaminated with organic matter, and that only on one occasion, in 1868, was there a near approach to this degree of pollution. The water is described as being repulsive both to the eye and palate, and he states that its supply for human consumption was undesirable. But he says that the excess of contamination is due to the presence of an altogether abnormal amount of vegetable organic matter in solution, that the Thames always contains some soluble constituents of sewage more or less changed by various processes of purification, and that he could find no evidence of any additional amount of these constituents in the two samples of the company's water sent to him for analysis. He thinks that in Mr. Cassal's analysis there was nothing to justify the assertion that sewage contamination exists. As to the circumstances which would account for the condition of things referred to, I am informed that in consequence of continuous rain on the 29th January, the first subsequent to the breaking up of the frost, the Thames was in an exceedingly muddy and turbid condition on the 30th January and following days; and owing to the fact that the filters were covered during the frost with ice of about a foot in thickness, there was great difficulty in cleaning them, and they were not in good condition at the time mentioned, and were incapable of dealing with the water turned on to them. The considerable difference in the qualities of the Grand Junction and the Chelsea water on the occasions referred to is accounted for by the fact that the Chelsea Company have a larger storage than the Grand Junction Company, and can discard the flood water, which the latter company are not able to do. The storage and settling reservoirs of the Grand Junction Company do not contain more than three and a half

days' supply of water, those of the Chelsea Company are capable of containing 15 days' supply. Dr. Tidy holds no position in relation to the Local Government Board. I believe that he is the chemical adviser to certain of the Water Companies, and is paid by those who employ him. As I have already stated, the filtration works to which I referred in my previous answer are being proceeded with; but I cannot but add that I regard it as extremely unsatisfactory that water of this character should have been supplied, and further that the difficulties on which the company rely as an excuse, ought not and would not have occurred if they had had a proper storage and filtration area.

HANDCUFFING PRISONERS.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Secretary of State for the Home Department if he is aware that the practice of marching prisoners, handcuffed together in long lines, through the streets of Chester still continues; and whether he proposes to take any steps in the matter?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have made inquiry both of the Chief Constable of the Borough and of the County. The former reports that, according to the invariable practice for years, prisoners are not marched through the streets at all, but conveyed in cabs or vans. The latter reports that it is not the practice to handcuff prisoners, unless it is absolutely necessary for their safe custody, but that it has been found advisable to use handcuffs in the case of prisoners coming from a certain district where riotous elements exist, and there was reason to anticipate attempts at rescue or escape. I have written to the Chief Constable, saying that, as a rule, it is very undesirable to march prisoners handcuffed through the streets, and asking whether some other means cannot be devised for meeting the particular danger which he specifies.

BARBED WIRES.

MR. BRUNNER: I beg to ask the President of the Local Government Board whether he has now informed himself as to the second death in Cheshire in 1890 caused by a wound from barbed wire; and whether he is now contemplating legislation forbidding the use of barbed wire at the sides of public roads and footpaths?

*MR. RITCHIE: I have obtained from the Coroner the depositions in the case referred to. It appears that the deceased was a farmer, and that whilst engaged in driving some cows from one field to another his hand came in contact with some barbed wire fence which was placed along a quick-set fence to prevent the fence being injured by cattle, and that the death was occasioned by blood-poisoning caused by the wound. The evidence does not show that the fencing in this case was at the side of a public road or footpath.

*MR. BRUNNER: The right hon. Gentleman has not answered the second part of the question, namely, whether he is contemplating legislation forbidding the use of barbed wires? Now that the planting of spring guns and mantraps has been prohibited ought not barbed wires also to follow in their wake?

*MR. RITCHIE: I certainly see a great difference between the one and the other; but I may inform the hon. Gentleman that the Government are not contemplating legislation.

INSTRUCTION IN DAIRY WORK.

MR. CHANNING (Northampton, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the demand for instruction in dairy work in Munster; and whether he will advise the appointment of a Government instructor in dairy work in the Province?

MR. JOHNSTON (Belfast, S.): I beg also to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received any communications from the Irish Industrial League, on the subject of instruction in dairy work by competent Government instructors, and whether, as Ireland labours under great disadvantage in competing with such rivals as Denmark and Sweden, where efficient teaching in all agricultural matters is supplied by the State, he will favourably consider, and recommend to the Government, the appointment of suitable dairy instructors in Ireland?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): In answer to this question, and to that of my hon. Friend which stands next, I would say that I am far from doubting that a knowledge of the most improved methods of dairying is of great importance in Munster. I must remind them that in addition to such facilities as are given to the localities to provide instruction under the Technical Instruction Act of 1889, the Government have aided in supplying, through the Munster Model Farm and through the National Board, a competent knowledge of the subject to many hundreds of persons.

THE PATENT OFFICE.

MR. LENG (Dundee): I beg to ask the President of the Board of Trade whether it is within his knowledge that, while the official journal of the Patent Office prefixes to its list of abridgments an intimation that

> "Inventors are strongly recommended, before applying for patents, to consult the Abridgments of Specifications,"

there are many important classes of specifications, including hydraulics, railway signals and carriages, paper making, steam engines, spinning, production and application of gas, and ventilation, of which no abridgments have been published for a quarter of a century, while several of those published before 1866 are out of print; whether under the heads of electricity and chemicals, with their various sub-divisions, any abridgments have been issued since 1876, except since 1883, in the costly volumes of the illustrated journal; whether the subject-matter index from 1856 to 1883 is out of print; and whether, in view of the Patent Office fees and publications, yielding a surplus revenue of nearly £100,000 a year, steps are likely to be taken to expedite the Patent Office publications and bring them up to date?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Abridgment of Specifications in the Patent Office is a work which was only commenced within a comparatively recent period, but it is being now pushed forward as speedily as possible, and I estimate that during the financial year ended March 31, 16,000 specifications will have been abridged, and that approximately the same rate of progress will be maintained until the arrears are overtaken. Abridgments of only three classes are out of print, and I am not aware of any large demand for a reprint of these. I may inform the House that the abridgments for the subjects of electricity, acids, alkalis, oxides and salts, and benzine and carbon derivatives, have been published up to 1876; and as regards the period between 1877 and 1883, the bulk of them have been made and are now in course of printing. The subject-matter index for 1856 to 1883 is out of print, but it has been widely distributed. For the future, its place will be taken by indexes to abridgment classes.

MAGAZINE RIFLES.

Major RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether the 100 Mark II. magazine rifles will be reported on before larger quantities are manufactured; whether the 2,000 now turned out weekly are Mark I.; and whether, out of an issue of 100,000, 45,000 were returned for repairs within the year?

The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): The present intention is that the 100 rifles of Mark II. should be reported on before others are manufactured; consequently the 2,000 a week now turned out are of Mark I. The total issue of Mark I. has been 44,500, of which, within the year, 3,720 have been returned for repair, being about 8 1-3 per cent. of the issue; but among these were included the arms exchanged for new rifles by the battalions which were ordered abroad, so that the number returned in actual need of repair was considerably under 8 per cent., and not 45 per cent., as my hon. Friend suggests.

NAVAL WIDOWS' AND ORPHANS' FUND.

Admiral MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether he has yet been able to overcome the "financial difficulties," which he has stated more than once he has experienced in obtaining from the Treasury the proceeds of mulcts, fines, unclaimed prize money, &c., in order to enable him to carry out, to some extent at least, the recommendations of the Duke of Edinburgh's Committee; and whether, since the widows and orphans of the men lost in H.M.S. *Serpent* had to appeal to public charity, he will consider the desirability of establishing a Naval Widows' and Orphans' Fund?

*The FIRST LORD of the ADMIRALTY (Lord G. Hamilton, Middlesex, Ealing): It has been decided not to attempt to establish a General Widows' Fund on the lines proposed by the Duke of Edinburgh's Committee in 1885. The unclaimed wages and effects of deceased seamen and marines are now paid over to the funds of Greenwich Hospital. There are grave difficulties in the way of similarly appropriating mulcts, fines, and unclaimed prize money. There is a Naval Widows' and Orphans' Fund, from which the widows and orphans of all men whose deaths are directly due to the Service receive pensions. The widows and orphans of the men lost in H.M.S. *Serpent* are now being assisted from this source. The capitalised value of the annuities either paid or payable is about £24,000.

STEAM COLLIERS FOR THE FLEET.

Admiral MAYNE: I beg to ask the First Lord of the Admiralty whether, in view of the necessity for steam colliers which can keep up with the Fleet, and also supply our coaling stations, with a minimum risk of capture, he will consider the advisability of offering some inducement to shipbuilders to build fast vessels for this work?

*Lord G. HAMILTON: There are about 120 vessels on the Admiralty list of ships suitable for "cruiser colliers." The fastest of these are 12 knot ships, the average about 11 knots, which speed it is considered would be ample to enable them to cruise with a fleet. If necessary, faster ships could be adapted to the work in a short time. We do not consider special inducements to build fast vessels necessary.

THE *SULTAN*.

Admiral MAYNE: I beg to ask the First Lord of the Admiralty whether it is proposed to lay down an additional battleship to take the place of the *Sultan*, which was included in the Scheme of the Strength of the Navy of England relative to those of Foreign

Powers in the Naval Defence Programme, and has since been struck off?

*LORD G. HAMILTON: When the programme of new construction is more advanced we will consider the question of repairing and re-engineing the *Sultan*. In the meantime, we do not propose to add to the number of battleships building. The progress of the new ships laid down since 1889 has been so rapid that the relative position of the English Navy as regards new construction, compared with that of Foreign Navies, has much improved during the last two years.

DISTRESS IN IRELAND.

MR. MAGUIRE (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the acknowledged distress in the Innishowen Division of the County Donegal, he can see his way to provide relief works by the construction of boat slips, shelter piers, and roads, more particularly in the Urris and Clonmany districts, for the protection of the fishermen's interests and the better development of the Division?

MR. A. J. BALFOUR: The hon. Member will understand, from previous answers which have been given to similar questions, that I can make no specific reply at present.

MR. T. M. HEALY (Longford, N.): Can the right hon. Gentleman now give us any information as to when any portion of the fund subscribed for the relief of distress will be handed out?

MR. A. J. BALFOUR: What fund?

MR. T. M. HEALY: Lord Zetland's fund.

MR. A. J. BALFOUR: I must be permitted to point out to the hon. and learned Gentleman that he has no right to ask me about a private fund, with which this House has nothing to do, and with which he has had nothing to do.

MR. S. MAC NEILL (Donegal, S.): May I ask whether the Earl of Zetland and the right hon. Gentleman did not, in a letter published on January 3, appeal for funds for the relief of distress in their respective capacities of Lord Lieutenant and Chief Secretary for Ireland?

MR. A. J. BALFOUR: No, Sir.

THE LEICESTERSHIRE REGIMENT.

MR. TAPLING (Leicestershire, Harborough): I beg to ask the Secretary of State for War whether his attention has been called to a paragraph in the *Times* of 31st January last, relating to alleged insubordination in the Leicestershire Regiment at Bermuda; whether it is true that since 22nd January the regiment has been in almost open revolt; whether it is the case that the intervention of the Grenadier Guards has been found necessary to prevent serious breach of the peace by soldiers of the Leicestershire Regiment; and whether there is any foundation for these and similar statements contained in the same paper?

*MR. E. STANHOPE: Beyond the fact that at Christmas there was a slight drunken disturbance between a few men of the Leicestershire Regiment and some of the coloured population, which was immediately stopped by the officers on the spot, there was no foundation whatever for the reports telegraphed from Halifax. The General Officer commanding reports that, with this small exception, the conduct of the Leicestershire Battalion has been excellent; and I much regret that such unfounded and unfair statements should have been sent home.

HAULBOWLINE DOCKYARD.

MR. FLYNN (Cork Co., N.): I beg to ask the First Lord of the Admiralty what are the steps which the Government are taking, or are going to take, with regard to Haulbowline; and when do they propose (if at all) to erect the necessary workshops in connection with the dockyard?

*LORD G. HAMILTON: I have already answered this question three times. The dock and basin at Haulbowline are complete. Existing buildings and machinery are being adapted and provided for fitters' workshops, and will shortly be completed.

MR. FLYNN: At what date may the docks be expected to be completed, or at least so advanced that operations on a ship may be begun?

*LORD G. HAMILTON: That is a question I can hardly answer. It must be remembered that the yard at Haulbowline is a graving dock, and will only be used when a ship is damaged below the water-line.

MR. FLYNN: I shall revert to the matter on the consideration of the Naval Estimates.

RIVER ZAMBESI SURVEYS.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the First Lord of the Admiralty whether he will have placed in the Tea Room the Chart showing the latest surveys of the mouths of the Zambesi River?

*LORD G. HAMILTON: The latest survey of the Chindé, the only mouth of the Zambesi recently surveyed, is not yet out of the engravers' hands. The existing plans of the Zambesi mouths shall be sent over to the House of Commons.

IRISH LAND PURCHASE.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is the intention of the Government to exempt long leaseholders from the operation of the Irish Land Purchase Bill?

MR. A. J. BALFOUR: I am not sure that I understand the purport of the question. The intentions of the Government are fully set forth in the Bill now before the House, and to that I must respectfully refer the hon. Baronet.

SOUTH-EASTERN (IRELAND) POSTAL DISTRICTS.

MR. MORROGH (Cork Co., S.E.): I beg to ask the Postmaster General if his attention has been called to the inconvenience and delay caused in the delivery of the mails to the inhabitants of the South-Eastern Postal Districts served by runners from Kinsale and Carrigaline; and if he could not substitute one post-car for the present system of three runners?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): It is not quite clear to what district the hon. Member refers; but if it is the district of Ballyfeard to which the question applies I have to state that the post to that district is now maintained at fairly convenient hours from Kinsale. The question of substituting for this service a mail car from Carrigaline *viâ* Minane Bridge has been carefully considered, but the additional expense involved precludes me from sanctioning such an arrangement. I shall be glad to have further inquiry made in the matter, if the hon. Member will give fuller particulars.

THE POTATO CROP IN SOUTH-WEST CORK.

MR. MORROGH: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can inform the House whether Colonel Spaight, the Local Government Board Inspector, who as far back as July or August last year visited the south-western districts of the County of Cork with a view to inspect and report on the then anticipated failure of the potato crop, has made any Report; and, if so, what was the nature of his Report; and will he lay a copy of it upon the Table of the House?

MR. A. J. BALFOUR: Reports have been made by Colonel Spaight and other Inspectors to the Local Government Board with regard to the condition of the potato crop in certain districts of County Cork. I shall lay upon the Table shortly a Report as to this district from the Local Government Board, and that Report will be based in the main on the Reports of the Local Government Board Inspectors.

MR. T. M. HEALY: Will the right hon. Gentleman inform me, in regard to the distress, whether it is intended that the Police, Resident Magistrates, and Local Government Board Inspectors shall be appointed by the Government to perform the duties of disbursing a private fund?

MR. A. J. BALFOUR: I must ask for notice of the question.

BRITISH POSSESSIONS IN AFRICA.

SIR JOHN SWINBURNE: I beg to ask the Secretary of State for War whether he will have placed in the Tea Room a map showing all the information in the possession of Her Majesty's Government, up to the latest date, of the coast of Africa between Delagoa Bay and the mouths of the Zambesi, together with the country lying between that coast and the Zambesi on the north, and the 28th degree of east longitude on the west?

MR. E. STANHOPE: I learn from the Foreign Office that as the limits of the territories or spheres of influence in that region are at this moment the subject of inquiry and negotiation, it would be inexpedient to exhibit an official map, in which many features could not be positively defined.

INCHIGEELA POSTAL SERVICE.

Dr. TANNER (Cork Co., Mid): I beg to ask the Postmaster General whether his attention has been directed to the insufficient postal arrangements in the Inchigeela district, County Cork, which provide only carriage of letters to and from Inchigeela three times a week, *viâ* Ballingeary; and whether a daily mail car between Macroom and Inchigeela, or a daily post by messenger from Inchigeela to Ballingeary, might be established?

*Mr. RAIKES: The post to and from Inchigeela is maintained six days a week by messenger on foot, but between Inchigeela and Ballingeary the post is restricted to three days a week, because the letters are few in number. It would give me pleasure to meet the wishes which have been expressed in the matter; but, so far as I am at present able to form an opinion, I fear that the additional expense involved in improving the service will be greater than I should feel justified in incurring. The inquiries shall, however, be pursued, and I will come to a decision as soon as possible.

Dr. TANNER: If representations are made by the inhabitants will the right hon. Gentleman have the subject further investigated?

*Mr. RAIKES: I shall be happy to give due consideration to any Memorial sent me.

ANTHRAX.

Mr. CHANNING: I beg to ask the President of the Board of Agriculture whether he proposes to direct an inquiry to be made as to the alleged discovery by Mr. Hankin of an effective cure for anthrax?

*The PRESIDENT of the BOARD of AGRICULTURE (Mr. Chaplin, Lincolnshire, Sleaford): I understand that there have been some communications between the Department and Mr. Hankin on this subject already, and I have directed further inquiry to be made at an early opportunity.

ILLITERATE VOTERS.

Mr. ADDISON (Ashton-under-Lyne): I beg to ask the Attorney General whether, having regard to the increasing number of declarations of illiteracy made at some Parliamentary elections, he is prepared to bring in a measure making it an offence under the Ballot Act untruly to make such declaration with a view to evade the provisions of the said Act?

The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I have no information to show that such declarations are on the increase, and I am not, therefore, prepared to propose legislation such as that suggested. I believe that the spread of education will in due course of time diminish the number of illiterate voters.

ZANZIBAR.

Sir GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the statement by the German Chancellor, reported in the *Times* of 6th February, that in addition to 4,000,000 marks paid to the Sultan of Zanzibar for the surrender of his Coast territory, another 6,000,000 was to be paid as compensation to the sufferers by the disturbances in that quarter; and if he can say whether any portion of that money is to go to the British-Indian subjects who suffered, or to any other British subjects, or to the East Africa Company?

The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): There was a mistake in the *Times* telegraphic summary. The sum of 6,000,000 was mentioned as destined for the improvement of the country. Nothing was said about compensation to sufferers, and I fear that, in the circumstances, they have no valid claims.

ACTIONS AGAINST RESIDENT MAGISTRATES.

Mr. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the following paragraph from the *Traders' Gazette* copied into *United Ireland* of 6th September:—

> "King's County. MacSheehy John Thomas Resident Magistrate, defendant; W. C. J. Crawley, Esquire, Ely Place, Dublin, plaintiff. Queen's Bench amount £33 13s. 1d., costs £5 16s.;"

what action do the Government intend to take with regard to this Magistrate; and whether he will grant a Return of the cases tried under the Criminal Law and Procedure (Ireland) Act, in whose adjudication Mr. MacSheehy has taken part? I beg also to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the fact that, at the October Quarter Sessions of the County of Kildare, held before County Court Judge Darby, Colonel the Hon. W. F. Forbes, Resident Magistrate, was sued by several shopkeepers for goods supplied to his wife and children, and was also sued by Mary Grogan, a cook in his employment, to recover from him a sum of £7 8s. 10d., for wages, and 6s. for cash lent by her to her master; whether he is aware that County Court Judge Darby gave decrees in all the cases, certifying for fees for counsel, and allowing witnesses' expenses; and that Mrs. Forbes swore that whenever she went to her husband's study to speak to him about these bills, the lamp was always put out, and sometimes she was struck and knocked down by the said Colonel Forbes, Resident Magistrate; whether he is also aware that, at the Easter Quarter Sessions, the said Hon. Colonel Forbes, Resident Magistrate, was also sued, and decreed, for goods supplied by several tradesmen; whether it is intended to retain this gentleman in his position of Resident Magistrate; and whether he will grant a Return of the cases under the Criminal Law and Procedure (Ireland) Act, in whose adjudication the Hon. Colonel Forbes has taken part?

Mr. A. J. BALFOUR: The matters referred to in these questions are solely personal, and the Government do not intend to interfere.

DISTRESS IN DONEGAL.

Mr. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to a letter of the Rev. Patrick Logan, P.P., Kilcar, County Donegal, dated 29th September, 1890, which appeared in the *Freeman's Journal*, calling attention to the fact that 500 families of his parishioners would by the 1st November not have a potato to eat or to seed the ground in the coming spring; whether, on the 5th November last, the said Rev. P. Logan had an interview with him in Carrick, County Donegal, and handed him a tabulated statement respecting the population of his neighbourhood, and then stated the potato crop in his parish was a complete failure; and whether he assured Father Logan that he was "anxious to aid him through this period of distress"; whether his attention has been directed to another letter of the said Rev. Father Logan in the *Irish Times* of 15th January, again calling public attention to the acute distress in the district of Kilcar; and whether the Government intend to make any provision for the relief of these destitute people?

Mr. A. J. BALFOUR: I am somewhat surprised at this question of the hon. Gentleman, because relief works have been for some weeks actively proceeding in the district referred to. The number of labourers employed on the works on the 21st January was 305.

THE FINN VALLEY RAILWAY.

Mr. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is intended that the cesspayers are to be under any liability in respect of the working of the new Finn Valley Railway; whether the fair town of Brockagh will be touched by the line; and whether the tracing on the map in the Tea Room is correct in showing the line along the north side of the river from Dooish to Frintown?

Mr. A. J. BALFOUR: The arrangements are not yet finally completed. There is no ground for believing there will be any liability on the cesspayer. The district south of the river will be served by the line.

TRADE WITH BRAZIL.

Mr. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Under Secretary of State for Foreign Affairs whether, under the proposed Treaty between Brazil and the United States, manufactures from the latter country of cotton, steel, and iron will be admitted into Brazil at 25 per cent. less duty than will be levied on similar goods shipped from the United Kingdom; and whether he has received any information on the subject from Her Majesty's Ministers in Washington and Rio de Janeiro?

*Sir J. FERGUSSON: The intelligence received in this country is conveyed in a telegram from Washington, and does not afford information as to the manner in which the Brazilian Government propose to apply the provisions of the Treaty in question. Her Majesty's Ministers at Washington and Rio de Janeiro will, no doubt, in accordance with the general practice of the Diplomatic Service, duly report by despatch the terms of this Treaty and its bearing upon British trade. I will inform the hon. Member when those despatches are received.

A LAND DISPUTE.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland on what ground it is stated that Lord Waterford's tenant, Michael Keily, was satisfied to purchase his holding (on being served with an ejectment) on terms involving his paying the Government in instalments more than he paid the landlord in rent; and what is the name of the Court valuer who visited Keily's holding, and certified that the advance was a safe one for the Purchase Department to make?

MR. A. J. BALFOUR: With regard to the first part of the question, I understand the matter referred to has already been dealt with by my right hon. Friend the Attorney General for Ireland in an answer which he gave the hon. Gentleman on the 3rd inst. As regards the other inquiry, the name of the Inspector who valued the holding was Mr. Philip Newton.

MR. T. M. HEALY: The right hon. Gentleman is mistaken. He stated that Mr. Keily had expressed his satisfaction at having to pay £7 instead of £6 10s. I ask upon what ground?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The hon. and learned Gentleman asked if the arrangement was a satisfactory one to the Government. I answered that whether or not it was satisfactory to the Government, it was eminently satisfactory to the tenant, as it had been entered into at his urgent request.

MR. T. M. HEALY: Yes, under stress of notice of ejectment.

MR. MADDEN: I came to the conclusion that the tenant was satisfied, as he made the request to the landlord, and his request was granted.

HOURS OF LABOUR ABROAD.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the President of the Board of Trade whether, as a Select Committee is to be appointed to inquire into the question of restricting by law the hours of railway servants, he will send the Labour Correspondent of the Board of Trade, or some other competent person, to the United States to inquire into the working of the various laws which have been passed by the State Legislature to restrict the hours of adult male labour, and to report thereon to this House?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): No, Sir; I do not think that it would be advisable to adopt the suggestion of the hon. Member with regard to Mr. Burnett. His time is very fully occupied with important matters in this country. I have already requested the Foreign Office to obtain information with regard to the various laws and regulations of foreign countries respecting the hours of labour of railway servants, and this information will, I hope, be received in time to be laid before the Committee.

NAVAL PENSIONS.

SIR JOHN PULESTON (Devonport): I beg to ask the Chancellor of the Exchequer whether the Naval pensions which were to be transferred from the Greenwich Hospital Fund have been so transferred?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Yes, Sir; we have decided that the transfer shall be made at a date to be fixed in concert with the Admiralty.

WELSH POSTMASTERS.

MR. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Postmaster General whether, in view of the large number of vacancies which will be caused in Welsh post offices by reason of the superannuation of postmasters over 65 years of age at the end of the current year, he will take steps, as far as is consistent with the efficiency of the Service, to appoint only persons who speak and understand the Welsh language to post offices in the districts where that language is generally used?

*Mr. RAIKES: It is not intended generally to superannuate Postmasters over 60 years at the end of the current year. A notice has, however, been given to those over 65 years of age that this course will be taken as regards offices in the gift of the Postmaster General. And it will, in my judgment, be necessary to require the retirement of those over 70 at a still earlier date. No such step, however, is in contemplation as regards the minor offices to which the Treasury nominates, and which are those to which the right hon. Gentleman's question probably refers, as these are often situated in backward and remote parts of the country. I have always taken care, with a due regard to the efficiency of the Service, to appoint persons who speak and understand Welsh to Post Offices in districts where that language is in general use.

HEFFERNAN'S CASE.

Mr. J. O'CONNOR (Tipperary, S.): I beg to ask the Attorney General for Ireland, with respect to the case of District Inspector Carter and Constable John Loohig, both of Tipperary, in which a Coroner's jury found a verdict against them for the shooting of a boy named Stephen Heffernan, on the 5th September, 1889; and whether the inquisition has been quashed, or a *nolle prosequi* entered to it; and, if not, do the Government intend to prosecute on this inquisition?

Mr. MADDEN: I stated fully why I saw no reason to take further proceedings in reply to a question put by the hon. Member on the 4th December last, and I now beg to refer him to the answer which I gave on that occasion. With regard to the second question of the hon. Gentleman, I beg to state that the action referred to was decided not on a technical point, but on a substantial issue. I cannot accept the view of the verdict of the jury put forth in the fourth paragraph of the question having regard to the findings to which they in the first instance agreed, and no reason why the Government should take the very exceptional course suggested in the latter part of the question.

Dr. TANNER: Did not Inspector Carter frequently admit that the men fired without orders and killed this man. Is he not to be held responsible?

Mr. MADDEN: I have answered questions relating to this already, and must refer the hon. Member to the answers given in December.

Mr. JOHN O'CONNOR: I beg to ask the Attorney General for Ireland whether he has seen a report of the case, Johannah Heffernan against John Collis Carter, District Inspector, and Constable Loohig, tried before Mr. Justice Holmes and a special jury of the City of Dublin, on the 22nd, 24th, 25th, and 26th days of November, in which the jury found a verdict for the plaintiff on the principal issue put before them, namely—

> "That the firing of the shot was not necessary for the self-defence of Carter and his policemen while engaged in the performance of the duty aforesaid;"

whether he is aware that a verdict was given for the defendants on a technical point, namely, that at the time of the boy's death there was not a reasonable expectation of pecuniary benefit to his mother, within the meaning of Lord Campbell's Act; whether he is aware that Mr. Justice Holmes, who tried the case, declared in his Charge to the jury that it raised a most grave and important issue, and that the jury who tried the case was a special jury of the City of Dublin, consisting of men of various political opinions; whether, under this verdict, the entire cost of the case falls upon the mother of the deceased, although it is practically a verdict of manslaughter against the police; and whether, since the costs amount to £285 2s. 9d., the Government will save this poor woman from ruin by defraying the costs?

Mr. MADDEN: The answer I gave to the last question applies to this.

Mr. J. O'CONNOR: Is it the intention of the Government to enter a *nolle prosequi* in this case?

Mr. MADDEN: That course will not be taken. The case was laid before a Bench of Magistrates, who refused an information.

Dr. TANNER: Is Carter to be promoted for the murder of this boy?

Mr. MAC NEILL: Inasmuch as this case resulted in loss of life, I must ask a further question as to the Bench of Magistrates who refused the information. Was it the ordinary Bench, or one exclusively composed of Resident Magistrates selected for the purpose? Was not the brother of one of the Magistrates, within two days after the decision was given, made a Deputy Lieutenant of the County of Dublin?

Mr. MADDEN: It was an ordinary Petty Sessions Bench. If the local Magistrates do not attend, the Government cannot be held responsible.

Mr. J. O'CONNOR: What were the issues found by the jury? Was it not that the firing of the shot was not necessary for the self-defence of the police while engaged in the execution of their duty? Will the right hon. Gentleman recommend the Government not to allow this woman to be mulct in the police costs?

Mr. MADDEN: The issues submitted to the jury were—1st, as to whether it was the duty of the police to disperse the crowd; and, secondly, was the performance of that duty accompanied by personal danger, which the Judge in his Charge explained to mean danger to life or risk of serious injury. The jury without difficulty found both these issues in favour of the defendant—they agreed it was the duty of the police to disperse the crowd, and that there was personal danger. They stated, however, they could not agree as to the remaining issues, which were—was the firing necessary in self-defence, and had the plaintiffs any pecuniary interest in the life of the deceased? They asked the Judge, could they find a verdict on one conditional on the other? He told them no such verdict would stand, and they then found for the plaintiff on the self-defence issue, and for the defendants on the issue as to pecuniary benefit. How they could reconcile their finding on the self-defence issue with the finding as to the duty of the police to disperse the crowd I cannot imagine, as they admitted the duty was attended with personal danger.

Mr. T. M. HEALY: I ask the Government whether, in any single instance of the finding by a Coroner's Jury of a verdict of wilful murder, they have allowed it to stand against the person concerned without making some effort to set it aside. Is this to be the only case in which no such effort is to be made?

Mr. MADDEN: There have, especially under previous Governments, been many verdicts of wilful murder in which no step whatever has been taken by the Government of the day. In this case the Government laid it before a Bench of Magistrates, who refused an information, and, in my opinion, that decision was amply justified by the evidence in the civil action.

Mr. J. O'CONNOR: There are two points on which I wish to be satisfied. Was not the jury composed almost entirely of gentlemen of the right hon. Gentleman's way of thinking, there being very few Catholics among them, and will the Government see that the woman is not mulct in these heavy costs?

Mr. MADDEN: As to the constitution of the jury I have no information. Under the circumstances, the Government cannot undertake to pay the plaintiff's costs.

ARMY BANDMASTERS.

Mr. O'KEEFFE (Limerick): I beg to ask the Secretary of State for War whether the bandmasters of the Army were invited to compete for position of Director of Music at Kneller Hall on 10th and 11th November last; and whether he can state the names of, and number of marks awarded to, the first three candidates as arranged by the Court of Examiners?

*Mr. E. STANHOPE: All bandmasters serving at home, who were eligible by age, were invited to compete. As the decision of the Court of Musical Examiners was only one among the considerations on which the selection was made, I do not think it would be desirable to state the marks of the several candidates.

HYDE PARK.

Mr. EDWARD HOARE (Hampstead): I beg to ask the First Commissioner of Works whether he will cause direction posts, similar to those in Hyde Park, to be erected in Regent's Park?

The FIRST COMMISSIONER of WORKS (Mr. Plunket, Dublin University): Yes, Sir. Since our attention has been called to the matter several posts have been put up, and more will be erected.

THE GOLD COST.

Mr. PICTON (Leicester): I beg to ask the Under Secretary of State for the Colonies whether it is correctly reported that Mr. E. A. S. McMunn has been called upon to resign his post as District Commissioner at the Gold Coast; and, if so, whether he will inform the House as to the reasons for this; and whether a Report has yet been received from the Governor of the Gold Coast as to the alleged sanctioning of slavery and the slave trade in the colony?

*The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): Mr. McMunn has not been called upon to resign; but, in accordance with the terms upon which he was appointed, his appointment has been cancelled, it having been established to the satisfaction of the Governor and the Secretary of State that he was not qualified to render efficient service on the Gold Coast. The answer to the second paragraph is, No; but the Governor has been reminded.

Mr. PICTON: Was the cause of disqualification excessive zeal against slavery?

*Baron H. de WORMS: No, Sir; certainly not.

FALCARRAGH EVICTIONS.

Sir JOHN SWINBURNE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a constable of the Royal Irish Constabulary, during an eviction in Falcarragh in November last, assaulted the hon. Member for South Donegal, and refused to give his name when he was requested so to do in order that his misconduct might be reported to his superior officer; and whether, having regard to the great difficulty of identifying Royal Irish Constabulary constables by reason of their uniforms and helmets which conceal their features, and the repeated refusal of the Government to place numbers on the uniforms of this Force, he is prepared to suggest any methods by which members of the Force whose conduct is impugned may be identified?

Mr. A. J. BALFOUR: As I am informed, no assault was committed on the hon. Member. It is the practice for constables to give their names when asked for in a proper manner.

Mr. MAC NEILL: Does the right hon. Gentleman take the statement of a constabulary officer in contradiction of that of myself and my hon. Friend? Is he aware that when I was at the Falcarragh evictions, accompanied by my hon. Friend the Member for Lichfield, I unintentionally entered the cordon? I was not asked to move, but was rudely jostled by the constable. I asked the constable for his name, and as he refused to give it I had to take means to identify him.

*Sir J. SWINBURNE: And is the Chief Secretary aware that I witnessed the assault?

Mr. A. J. BALFOUR: I am aware the fact was brought to official notice by the hon. Gentleman. If he was able to take exceptional means to identify the man I suppose he was satisfied.

Mr. MAC NEILL: I was only able to identify him by chalking him, and that I did do.

*Sir J. SWINBURNE: Will the right hon. Gentleman agree to have the constables numbered in future?

Mr. A. J. BALFOUR: No, Sir; I propose to make no change.

PACKETS AND THE POST OFFICE.

Colonel EYRE (Lincolnshire, Gainsborough): I beg to ask the Postmaster General whether it is a fact that foreign packets are allowed to come through the Post Office in closed envelopes, whilst those sent from England must be open at both ends, whereby injury is frequently caused to the enclosure; and, if such is the case, whether anything can be done to remedy this inconvenience?

*Mr. RAIKES: I understand my hon. and gallant Friend to be under the impression that printed papers may be sent to this country from places abroad in unclosed envelopes, but that the same method of packing is not allowed in the opposite direction. I may assure my hon. Friend that such is not the case, the same facilities being permitted in both directions. This only applies to countries coming within the jurisdiction of the Postal Union.

SUAKIN.

Sir GEORGE CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have sanctioned the action of the Egyptian Government in sending an expedition to recover a portion of the Soudan, near Suakin, which was some years ago formally abandoned at the urgent instance of the British Government; and whether care will be taken that these measures do not throw any burden on this country, either directly, on account of the military operations in the Soudan, or indirectly, by withdrawing a portion of the Egyptian forces, and throwing the defence of Egypt and the Nile more heavily on Her Majesty's Army?

*SIR J. FERGUSSON: Her Majesty's Government have raised no objection to the occupation of Tokar and Handoub by the Egyptian troops, as the occupation was strongly urged by the Civil and Military Authorities, in order to relieve the district round Suakin from oppression and plunder by the Dervishes, and especially in order to facilitate the opening of trade in grain. No additional burden will be thrown on this country by the measures that are being taken.

SIR GEORGE CAMPBELL: Will it not be necessary to occupy the country with British troops when the Egyptian garrison is withdrawn for this expedition?

*SIR J. FERGUSSON: It is not anticipated that any addition will have to be made to the garrison of Suakin on account of the occupation of these outposts.

THE NEWFOUNDLAND FISHERIES.

COLONEL HILL (Bristol, S.): I beg to ask the Under Secretary of State for Foreign Affairs if, considering the disadvantages under which the Newfoundland fishermen are labouring owing to the heavy bounties given by France upon fish, and the grave importance of the fisheries dispute, he can state that Her Majesty's Government are taking active steps to arrive at a satisfactory solution of the difficulty?

*SIR J. FERGUSSON: The system of giving bounties upon fish is one to which the French Government attach great importance, and as it is entirely a matter of internal regulation we have no ground for objecting to it. The dispute with respect to the Treaties is receiving the anxious attention of Her Majesty's Government.

DR. TANNER: Will not attention be paid to the claims of the poor fishermen who suffered, seeing that the Government have made an allowance to Mr. Baird for the disturbance and annoyance to which he was subjected?

*MR. SPEAKER: Order, order! That does not arise out of the question.

INDUSTRIAL PROPERTY CONVENTION.

COLONEL HILL: I beg to ask the Under Secretary of State for Foreign Affairs whether the further Papers respecting the Industrial Property Convention held at Madrid will be laid upon the Table?

SIR M. HICKS BEACH: Yes, Sir; further Papers will be laid on the Table when it is seen whether the projects submitted by the Conference are signed on behalf of the countries which respectively adopt them.

TRADE WITH BRITISH COLONIES.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if the Report of the Treaties Committee has been received, upon the representations of the Agents General of the self-governing colonies, and of the Imperial Federation League, as to the importance of annulling the clause in the Treaty with Belgium of 1862, and the Treaty with Germany of 1865, precluding the conclusion of preferential commercial arrangements between the Mother Country and the colonies, or between any other portion of the Empire, except between the Colonies of Australasia; and, in such case, if he has any objection to state the nature of the recommendation of the Committee, and the decision of the Government upon the subject?

SIR MICHAEL HICKS BEACH: I can only inform my hon. Friend that the second Report of the Trade and Treaties Committee has just been received, and is now under the consideration of Her Majesty's Government. I must not be understood as admitting the accuracy of my hon. Friend's interpretation of the effect of the two Treaties to which he refers.

THE CASTLEREA ARRESTS.

MR. O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the

Lord Lieutenant of Ireland whether he is aware that 18 prisoners have been remanded seven times by Mr. Brady, R.M., who has been holding a Court at Castlerea under the Criminal Law and Procedure (Ireland) Act, and have been taken from their beds at 9 or 10 o'clock in Castlebar Gaol and sent to Castlerea, arriving at midnight, and then kept in the police cells all night without a bed to lie on; whether he is also aware that one of the prisoners (Mr. T. Forde) was treated in this way, though he had been for some days suffering from illness; and whether this prisoner has been discharged on the report of an independent doctor; can he explain why the prisoners were not brought by the train which arrives at Castlerea at 11 o'clock a.m.; and why these prisoners are detained till midnight, and then sent back by train to Castlebar, to arrive about 4 o'clock in the morning, when other and more convenient trains are available?

Mr. A. J. BALFOUR: I am informed that seven, not 18, prisoners, as alleged in the question, have been committed seven times for refusing to be sworn or to give evidence at the Castlerea inquiry. Such prisoners, who are to be again brought up, are released from prison about 9 a.m. and conveyed to Castlerea by the 10 o'clock train the same morning. In no case have these prisoners been kept in police cells. When it is necessary to detain any of them in Castlerea Police Barracks for a night a comfortable room is provided, with a fire. Timothy Forde was at once discharged from custody when it was found that he was suffering from a slight complaint. In every case where it was practicable to have prisoners sent back by the early train it was used. Any inconvenience suffered by these prisoners is solely the result of their determination to obstruct and impede the administration of the law.

Mr. O'KELLY: I now ask the Chief Secretary to the Lord Lieutenant of Ireland at what hour of the night the police arrested Mrs. Owen Lavin, of Lisahurka; whether he is aware that Mrs. Lavin, who is in a delicate state of health and whose husband was at the time in prison, objected to go with the police, and asked to be permitted to wait till next day when she would be driven on a friend's car to Castlerea; whether

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the police, the day or two following, came to Mrs. Lavin's house at 2 o'clock in the morning to arrest her mother-in-law, an old woman 75 years of age, and in bad health; and under what authority did the police act in these cases?

Mr. A. J. BALFOUR: I am informed that the woman was arrested at 11.45 in the morning, that she made no complaint of delicate health, but on the contrary, seemed to be in excellent health. She offered to go with the police, and a seat was provided for her on the car. The police did not endeavour to arrest the mother-in-law at 2 o'clock in the morning. She had absconded. The police acted on the warrant issued by the Resident Magistrate.

Mr. O'KELLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. Crane, of Fairymount, County Roscommon, who was in a delicate state of health, having a baby only a few weeks old, was arrested at 1 o'clock in the morning, and brought to Castlerea; and if he can explain why her request to be allowed to go into Castlerea next morning, and have her husband accompany her, was refused by the police?

Mr. KILBRIDE (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps have been taken for the relief of distress along the seaboard from Cahirciveen to Kenmare; whether he is aware that a deputation of 300 labourers from the Ballinskelligs district, a locality remote from the facilities of the railway works, waited on the Cahirciveen Board of Guardians to demand work or relief; and whether the attention of the Government has been directed to the advisability of constructing a pier at Ballinskellings, which would give employment to the starving people of the district, and tend to develop the local fishery?

Mr. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. Shaskett was recently arrested on the De Freyne estate under an Inquiry Court warrant at midnight and brought into Castlerea in custody, the result being that from the fright she sustained she was unable to take any food until she reached home 20 hours after; and whether the practice of making arrests at night has been sanctioned by the Government? I beg also to ask the right hon. Gentleman whether he is aware that Edward Egan, of Carreenturpane, was arrested under an Inquiry Court warrant at midnight, and brought into Castlerea; that, after Mr. Egan returned, the priest had to be sent for to anoint him; and that he is now in a dying state, owing to the shock and the exposure of the night to which he was subjected; and whether the practice of making arrests at night has been sanctioned by the Government?

Mr. A. J. BALFOUR: I am not in a position to answer these four questions, and must ask that they be put down for another day.

Mr. J. O'KELLY: Will the right hon. Gentleman make further inquiries into the allegations as to the midnight arrests?

Mr. A. J. BALFOUR: Yes; I will inquire into any special case brought to my notice. I have shown the hon. Member he is in error in the one case he has named.

Mr. T. W. RUSSELL (Tyrone, S.): Can the right hon. Gentleman say whether the Plan of Campaign on the estate, in regard to which these cases have arisen, has broken down?

*Mr. SPEAKER: Order, order!

CHARGE AGAINST MR. P. MAGAN, J.P.

Mr. HAYDEN: I beg to ask the Attorney General for Ireland what steps were taken to recover from Mr. Percy Magan, J.P., for the Counties of Roscommon, Westmeath, and Wexford, the amount he was alleged to have obtained under the Arrears Act of 1882 by false representations; what amount, if any, has been recovered, and in the case of what tenants; what amount of rent was sworn by Mr. Magan to be due by these tenants up to 1st November, 1881; what is the actual amount which has been found to be due; whether any inquiries have been made as to whether money may have been similarly obtained in the case of other tenants on the same estate; has Mr. Magan's conduct in this matter been brought under the notice of the Lord Chancellor; does he still hold the Commission of the Peace and act as a Magistrate; have any steps been taken to prosecute Mr. Magan and recover the penalties provided under the Arrears Act; and in how many cases have prosecutions under the Arrears Act been instituted; what were the charges, and what was the result?

Mr. A. J. BALFOUR: I must ask the hon. Member to postpone this question till Monday.

STOCK FOR SCHOOL BUILDINGS.

Mr. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer under which of the Education Acts have issues of stock for school buildings been authorised by Parliament without the maximum amounts being named; and were these stocks issued under the Imperial guarantee?

Mr. GOSCHEN: If the hon. Member will refer to the answer I gave him on Monday, he will find that I said nothing about issues of stock. I spoke of loans being made without limit of the liability. I may refer him, for instance, to 33 & 34 Vic., Cap. 75.

THE JAMAICA EXHIBITION.

Sir GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the fact that no news of the opening of the Jamaica Exhibition was published in this country until a week after the event; whether he can state the reason of this delay; and whether he can present to the House any official account of an Exhibition which is of such interest to those connected with West Indian industries and commerce?

Baron H. de WORMS: Telegrams direct from the West Indies are very costly, and this may probably have been the reason why no accounts of the proceedings at the opening of the Jamaica Exhibition have been given by the Press until yesterday. My hon. Friend will see in the *Times* of yesterday a full telegram from New York. The more detailed accounts by mail have not yet arrived; but it will be considered, when the Governor's despatch has been received, whether there will be advantage in presenting it to Parliament.

H.M.S. *MOHAWK.*

Mr. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty to be good enough to inform the House of the nature of the Report (official or otherwise) received from Her Majesty's cruiser *Mohawk* since her arrival at Las Palmas; whether it is true that she is described as being top-heavy and very uncomfortable in a sea way, owing to which all hands were turned out for two nights in succession on the passage; "that the gangways were carried away, and the boats stove in;" that there were two feet of water in the steerage, whilst the pumps had to be kept going an entire day, the vessel at the time heeling 45 degrees; and whether, in face of this, it is intended to reduce the top-weight of cruisers of this class now under the course of construction?

*LORD G. HAMILTON: No Report has been received from Her Majesty's ship *Mohawk* since reaching Las Palmas. If anything unusual or exception had occurred on the voyage there, it would have been reported. No cruisers of this class are being built.

THE LAW OF SELF-DEFENCE.

COLONEL DAWNAY (York, W.R., Thirsk): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a case of assault committed in the Commercial Road on Sunday last, when the Magistrate who tried the case expressed the following opinion:—

> "The attack the prisoners had been guilty of justified a man in using any deadly weapon in order to protect himself, and even if the prosecutor had shot both men dead, he would have been justified in doing so;"

and whether, in view of these frequent outrages, and the various interpretations of the law on this subject, he will inform the Magistrates and Judges what a man may and may not do under similar circumstances?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the learned Magistrate that he did not make use of the words quoted. What he said to the prisoners was as follows:—

> "Some people contend that your conduct would justify the complainant in using a revolver and shooting you both dead, but with that I certainly do not agree."

I have no reason to believe that outrages such as the one referred to are frequent, or that the law on the subject is not thoroughly understood. I should, however, be exceeding my duty if I took upon myself to define or interpret the law for the guidance of Judges and Magistrates.

COLONEL DAWNAY: I took the words *verbatim* from the *Daily News*.

DR. TANNER: Hear, hear! Good paper!

H.M.S. *SANSPAREIL*—THE 110-TON GUNS

MR. GOURLEY: I beg to ask the First Lord of the Admiralty whether it is true that the new split band of the *Sanspareil* 110-ton gun, on being tested, showed signs of shifting, and that each round fired caused the muzzle of the gun to droop, inclining it to one side; and whether he is bound to accept the gun from the manufacturers, irrespective of test?

*LORD G. HAMILTON: The gun is still under proof, and some further rounds are about to be fired, including some against a 20-in. compound armour plate, with an 8-in. wrought-iron plate behind it. A detailed Report will be made in the usual course when the tests are completed. The Admiralty is not bound to accept this or any other gun irrespective of test.

THE CONVICTION OF A CLERGYMAN.

SIR GEORGE CAMPBELL: I beg to ask the Secretary of State for the Home Department whether he has observed the case, reported in the papers of 11th February, of a clergyman who was, on the evidence before the Magistrate, committed for stealing a variety of articles from the Army and Navy Stores, and was tried before Sir Peter Edlin, Chairman of Quarter Sessions, that he pleaded guilty and no evidence was heard, but his counsel was allowed to make an *ex parte* statement, saying that he was the son of a man of position, that having failed in other pursuits he became a clergyman, that he failed in that profession also owing to intemperate habits, that he was suffering from want and anxiety when he committed the offences charged, and that if he was let off his friends would take care of him and place him in a home for inebriates, that Sir Peter Edlin thereupon released him on security on condition that his friends would take care of him; and whether the Chairman has the power to act in this manner?

MR. MATTHEWS: I have seen a newspaper report, from which I learn that the prisoner, who had already been two months in custody, was liberated on condition that he found one surety in £100, and entered into recognizances in the same amount to come up for judgment if called on within the next 12 months, so as to insure his good conduct during that period. I am advised that the action of the Judge was in accordance with the law as laid down in the 117th section of the Larceny Consolidation Act, 1861, and in the 1st section of the Probation of First Offenders Act, 1887.

SIR G. CAMPBELL: Have any cases occurred in which poor men convicted under similar circumstances have been treated in this way?

MR. MATTHEWS: It does not appear to me to be unreasonable that a man who appears to me to be out of his mind should for a first offence be treated in this way.

CLASSICS FOR ARMY CANDIDATES.

SIR GEORGE CAMPBELL: I beg to ask the Secretary of State for War what are the circumstances which have caused the recent change, making a classical language compulsory for candidates in the Army; and if he will produce Papers on the subject?

*MR. E. STANHOPE: In accordance with the recommendation of the majority of headmasters of public schools, and with the full concurrence of the Civil Service Commissioners, it has been decided prospectively that elementary Latin shall be an obligatory subject for military candidates. I will consider whether any of the correspondence can, with advantage, be produced.

BULKHEADS.

MR. FURNESS (Hartlepool): I beg to ask the President of the Board of Trade whether his attention has been called to the serious inconvenience caused to shipowners through the uncertainty with regard to No. 12 of the General Rules of the Board of Trade, under "The Merchant Shipping (Life-Saving Appliances) Act, 1888;" whether, though the Rules came into operation on 1st November last, no decision has yet been arrived at by the Board with regard to the application of the said Rule 12; when the Committee on Bulkheads, appointed to inquire into the matter, is expected to report; and whether the Report, when presented, will be laid upon the Table of the House?

SIR M. HICKS BEACH: The General Rule No. 12 under the Merchant Shipping (Life-Saving Appliances) Act, to which the hon. Member refers, is as follows:—

> "12. Watertight compartments.—When ships of any class are divided into efficient compartments to the satisfaction of the Board of Trade they shall only be required to carry additional boats, rafts, and other life-saving appliances of one half of the capacity required by these Rules."

The Board of Trade are not in a position to arrive at a decision with regard to this Rule until they receive the Report of the Bulkheads Committee appointed to inquire into the matter. This, I hope, will be about the end of next month. The Report, when received, will be laid on the Table of the House.

COFFIN TARGETS.

MR. JACOBY (Derbyshire, Mid): I beg to ask the Secretary of State for War whether there is any truth in the statement that "coffin" targets are to be discontinued; and, if so, whether he will sanction the use of Wimbledon targets this year for class firing by the Reserve Forces?

MR. E. STANHOPE: The use of the so-called "coffin" targets will be discontinued, and regulations are in preparation for introducing the Wimbledon marking for use by the Regular Forces. The Musketry Committee has recommended changes based on like conditions for the Auxiliary Forces, but before they are adopted the proposal will have to receive very careful consideration.

ROADS IN SCOTLAND.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the First Lord of the Treasury whether the Secretary for Scotland has received representations from County Councils and others on the subject of new roads in certain parts of the Western Highlands and Islands of Scotland, and suggesting grants in aid; and whether, in its proposed special dealings with these localities, Government would take this point into favourable consideration?

MR. MATTHEWS: The Secretary for Scotland has received communications from several bodies in the Highlands of Scotland praying for grants in aid of the construction of roads. The Commissioners appointed to inquire into the question of grants in aid to these Highland districts have not made any special recommendation for the purpose referred to, but the Government will give the whole matter their most careful consideration.

THE CZAR OF RUSSIA AND THE CITY.

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury if he will explain the circumstances under which Her Majesty's Ministers accepted the responsibility of becoming the medium through which the Memorial of the Lord Mayor and Citizens of London, on the subject of the treatment of the Jews in Russia, was returned to the Memorialists?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am under the impression that the circumstances under which Her Majesty's Ministers accepted the responsibility mentioned in the question were sufficiently disclosed in the letter from the Under Secretary of State to the Lord Mayor.

MR. O'BRIEN AND MR. DILLON.

MR. J. M'CARTHY (Londonderry): I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is true that Mr. O'Brien and Mr. Dillon have been already arrested?

MR. A. J. BALFOUR: I have no information on the point. I imagine the question should be addressed to the Home Secretary.

MR. J. M'CARTHY: Then I will address it to the Home Secretary.

MR. MATTHEWS: I have not received any information to that effect.

MR. J. O'CONNOR: Does the right hon. Gentleman expect to receive such information?

MR. MATTHEWS: I should not be surprised at receiving it.

THE VOTE OF CENSURE.

*MR. W. H. SMITH: In the ordinary channels of information I see a statement that the Debate on the Vote of Censure will probably terminate on Monday. It would probably contribute to the convenience of the House if that statement were confirmed by right hon. Gentlemen and hon. Gentlemen opposite.

MR. J. O'CONNOR: Will only one day be given to the discussion?

*MR. W. H. SMITH: I was ready to give any longer amount of time that might be required. But it appears from the morning papers—especially from one peculiarly representing the Party opposite—that it is intended to conclude the Debate on the first day, and it is obvious that if this is so the fact ought to be generally known.

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 207.)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir M. Hicks Beach.*)

(5.15.) SIR W. HARCOURT (Derby): I may state, at no unnecessary length, the reasons why I feel bound to vote against the Third Reading of this Bill. There are circumstances in connection with the Bill of which I confess I do not remember any example. During the progress of the discussions on the Bill, the right hon. Gentleman who has charge of it has very fairly recognised that there are omissions which ought to be supplied. One of these omissions related to the very important question of derelict farms, and when an Amendment dealing with that matter came to be discussed the Government found themselves unable to defend their own Amendment. These deficiencies were discovered too late to be remedied in Committee, and the Government promised to deal with them when the Bill came before the Upper House.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I simply withdrew the Amendment.

SIR W. HARCOURT: I pointed out at the time there was great difficulty in dealing with the matter at that stage, seeing that it was a vital and important matter. The Government saw their Amendment would not hold water, and withdrew it; but I certainly did not anticipate they would leave their Bill derelict as well as the farms. I am sure the right hon. Gentleman will admit the intention to reserve this Amendment to be dealt with in the House of Lords, for he pledged himself the Bill should come down to this House in a form which would enable this matter to be discussed. And I assert that the House of Lords is a singularly inappropriate Body to deal with these matters, for it consists of large tithe owners and landlords. If, therefore, there were no other reason, I should vote against the Third Reading of a Bill admitted by the Governmeni to be an incomplete measure. These conditions have been produced by the desire of the Government to rush legislation of some kind, regardless of its thorough consideration. In 1889 the Government introduced a Bill to settle the tithe question on the principle of throwing all the burden of the tithe on the occupier. This was strenuously opposed by the Liberal Party, who were denounced as wicked obstructionists. Our opposition was described as factious. Yet the Government saw fit to give way, and that principle, which has now been rightly abandoned by the Government, would have been embodied in an Act of Parliament but for the strong opposition of which the Government complained. In the course of the Debate on that Bill we were described as unscrupulous obstructives, as Church robbers, and as the friends of disorder. Then in 1890 the Government introduced another Tithe Bill of quite a different character. It embodied the principle for which we had contended, namely, that the liability should fall on the landowner, and not on the occupier. The old Bill had disappeared, Sir, mainly by reason of your ruling, because you determined that the Amendments proposed by the Attorney General were so complete a change in the character of the measure that they, in fact, constituted a new Bill. Now the first Bill of 1890, so far as it placed the liability on the owner instead of the occupier, was a measure to which I, at least, offered no objection. Still, the Bill contained a number of provisions which, in our opinion, were most injurious to the occupiers of the land. It made occupiers, who were under a contract to pay tithe, liable to execution, bankruptcy, and eviction. It gave most extraordinary powers in the case of the small yeoman, and enabled a receiver to go in and intermeddle with his farm. To these things we offered strenuous resistance. Again, we were denounced as unscrupulous obstructives, but with the unexpected assistance of the Chancellor of the Exchequer and his Compensation Clauses we got rid of that Bill. And the result of our unscrupulous obstruction was that the Amendments for which we contended have now been adopted in the present Bill. We now have No. 2 Bill of 1890 before us. The 1st clause contains a principle for which I have always contended, namely, that the liability shall be on the owner, and not on the occupier, and that the Bill also removes many of the objections we had entertained to its predecessor. Therefore I, for one, did not vote against the Second Reading. I was quite willing, bearing in mind how far former Bills had been amended in their progress, to see if this one could not be made to fall in with our views. I have forgotten to mention the ambitious scheme of redemption which characterised the two first Bills, and which was found to be so totally unworkable that it had to be thrown overboard in the present Bill. But I repeat, I was extremely willing to see if this Bill could not in Committee be made acceptable. With reference to the present Bill, this I will say: that the 1st clause contains a principle for which I have always contended as against the principle contained in the Bill of 1889. That, in point of fact, is what we have achieved by our opposition. But there is one thing to which I do not think sufficient attention has been called in this House, and I doubt whether it is understood in the country. One of the great professions of the authors of the Bill of 1889 was that it would be a great thing to do away with distress for tithe. But this Bill does not do away with distress for tithe at all. Distress for tithe will exist as much with this Bill in operation as it exists now. Distress for tithe is the only remedy. If you look at Clause 1 you find such sums shall be recoverable from the occupier by distress in like manner provided by the Tithe Act with respect to arrears of tithe rent-charge. That is the old remedy of distress, and no other; it is also the only remedy under Sub-section 2 of Clause 2, in the case of occupying owner and the occupier under covenant to pay tithe. Under Clause 2 we find the order of the Court shall be executed by an officer appointed by the Court, who, subject to the direction of the Court, shall have the powers of distraint conferred by the Tithes Act. Therefore, in the great majority of cases, distress will be the only remedy, as before; and therefore the idea that this Bill has some particular merit in getting rid of distress is a total delusion. It is also believed that under this Bill the owner will take the whole liability for tithe, that he will make a new arrangement with his tenant, and that the tenant will know nothing about the payment of tithe as such. That is the idea of Clause 1, but it is a mistake to think this will happen. In Section 2 of Clause 1 we come upon the case of the occupier who is liable, under covenant made before the passing of this Act, to pay tithe, and that sub-section will govern nearly all the tenant-farmers in this country. Of course, if you have a lease of seven years and that comes to an end, then a new contract can be made in which the tenant-farmer may no longer be subject to the payment of tithe; but in the case of tenants from year to year, which constitute three-fourths or more of the agricultural tenancies in the country, there will be a continuing contract made before the passing of the Act, and the tenant, therefore, will continue to be liable to pay tithe, unless he gives his landlord notice to quit and a new contract is made, which is not likely to happen. Therefore, in tenancies from year to year, this Bill will have no operation in relieving the tenant from payment of tithe; he will continue to pay tithe not levied from him as rent, but *qua* tithe, and levied by the landlord instead of by the tithe owner, levied in the same way, by distress. The situation, therefore, will not be altered in the slightest degree. I suggested, not in the House—but I do not suppose the right hon. Gentleman objects to my mentioning it—that we should apply to the case of tenant-farmers the same words as were put into the Tithe Commutation Act of 1883, by which year to year tenancies would be treated as annual tenancies simply, so that the provisions of the Act would come into operation with reference to every annual tenancy at the end of six months. If that had been put in the Bill the tenant farmer would be relieved from payment of tithe, he would know nothing of tithe as tithe, and his arrangement would be made with his landlord quite irrespective of the payment of tithe. Now that would have been a reform worth making, but this Bill will leave the tenant-farmer, in the case of an annual tenancy, liable to pay tithe, just as he is now, and the tithe that the landlord pays will be recoverable, not as rent, but *qua* tithe, and by distress. Let me illustrate this. Suppose a tenant in Wales, willing to pay rent—unwilling to pay tithe. He will pay his rent, and the landlord will say, "I have paid the tithe; you must repay me." The tenant will refuse to pay tithe, as he has before refused, and the landlord will then distrain as and for tithe, and never as rent, under this Bill. I point these things out, and depend upon it you will find the "rub" of this when you come to the working of the Act. The notion that you have instituted a reform as to the liability for tithe when you object to provide for year to year tenancies will be discovered to be a great delusion. That I have to say on the 1st clause of the Bill. I think it is very defective in that respect, though I have no objection to the principle of the clause. Then we come to the important Clause 2. I have said the only machinery left in this Bill practically, with the exception of the collection of rents by the receiver, which, in my opinion, will only constitute a small part of the operation of the Bill, is by distress. You may say so it is now, but it will not be at all after the passing of this Act as before, for you have called in the machinery of the County Court to effect this distress; it can only be done by that machinery—an expensive, inconvenient, and oppressive machinery. Therefore, we have laboured through this Bill. I confess that was my object, to reduce the difficulties of the County Court in the execution of the provisions of the Bill. I will bear testimony, as I have done before, to the extremely reasonable, courteous, and conciliatory manner in which the right hon. Gentleman has conducted these discussions, and that the Bill has reached its Third Reading stage is mainly due to the change in the management of the Bill, from a former experiment of which we have had experience. But though the right hon. Gentleman has accepted something like 10 Amendments of a material character from this side of the House—a circumstance which shows that charges of obstruction are totally unfounded—although the right hon. Gentleman has allowed there are omissions in the Bill which have to be dealt with elsewhere, or not dealt with at all, there still remain points in the 2nd clause which make the danger so great that they constitute the main reasons why, not having voted against the Second Reading, I feel bound to vote against the Third Reading of the Bill. First, take the matter of expense. What right have you to benefit the tithe owner and to put the tithepayer to greater expense in doing so? Is there any man in the House who believes that if you are going to exact this tithe charge through the machinery of the County Court the tithepayer will not be put to far greater expense than he now incurs? Every man of practical experience knows that will be the case. The right hon. Gentleman opposite did not feel at liberty to allow that costs should be restricted. We fought this question of costs hard—we fought for a Schedule for many hours, and we had the assistance of my right hon. Friend the Member for Bury (Sir H. James), the only assistance we had from the particular Party of which he is a Member, in reference to this Bill, and indeed all our Amendments were mainly defeated by those gentlemen, who say they are Liberals in all things save in reference to Ireland. There have been narrow majorities far below an ordinary Government majority, but those majorities which have defeated our Amendments for the interests of small owners and occupiers have been made up of the Liberal Unionists. Therefore, I do single out the solitary and remarkable exception in the assistance we have received from my right hon. Friend the Member for Bury. But do not let it be said there was obstructive opposition, for if after a few hours—I might say after some days—we succeeded in obtaining a Schedule of costs, it was worth the time expended. But the Schedule does not go far enough. The Schedule only deals with the fees in Court, and not with those extraneous costs which will be the inevitable consequence in many cases of giving this jurisdiction to County Courts in Wales. You are, I say, doing that which we have always protested against, giving an advantage to the tithe owners at the expense of the tithepayers —an advantage to which the tithe owners are not entitled, and for which the tithepayers ought not to pay. This is a great blot in the Bill. I will not say much about the 3rd clause of the Bill, that is in charge of the hon. Member for Maldon (Mr. Gray). I voted with him, and we were defeated by the votes of representatives of the great landowners in England. I suppose they thought they were acting wisely, at all events they are generally able to take care of themselves, and I do not feel very much called upon to contend in their interest; but I doubt very much whether the small owners and yeomen of England, who are not so able to take care of themselves, and who have few representatives or sympathisers on that side of the House, will regard this achievement, this principal measure of the Session of a Tory-Unionist Government, as a blessing in disguise; at all events, the disguise is very complete, and the blessing will disappear as the Act comes into operation. Apart from these matters, there is one matter which is conclusive in inducing me to vote against the Third Reading. We contended that if you were going to confer a jurisdiction necessarily more vexatious and more costly than the existing proceeding, you should take very great care to make that jurisdiction one which would engender confidence, and not irritate and cause vexation among the people among whom it is to be newly introduced. In Wales you are going for the first time to County Court the great majority of the agricultural population. ["No, no!"] That, in itself, is a serious matter. The right hon. Gentleman says "No;" but I speak on the information of persons well acquainted with conditions of agricultural tenure in the Principality, which I do not assert that I am. I will say large numbers of the population. You are going to County Court these people; what does this mean? It means bringing them in matters that affect their deepest sentiments and strongest convictions under the jurisdiction of a tribunal that is as ignorant of their feelings as it is of their language. That is one great defect in your Bill. I will say nothing against the County Court Judges, except that I think they are not very likely to know much of the sentiments of the Welsh people, and will not gather it from any knowledge of the language in which those sentiments are expressed. If you tell me the Courts will deal with these matters as with other small debts, that is nothing at all to the purpose. This is not a question of small debts at all, and it has never been under the jurisdiction of the County Court as a small debt. You are making it a County Court question for the first time, and you are bound in doing this to see that the County Court shall be surrounded by proper safeguards appertinent to this new jurisdiction. There is this also in the peculiar condition of Wales: that whereas in England the great majority of the persons amenable to the Bill will have the right to appeal to a jury, in Wales hardly any of the persons subject to the Bill will have that right. We have contended throughout this Bill as well as we could that if you granted this new jurisdiction you should at least give in that jurisdiction some weight and some voice to public opinion and popular sentiment among the Welsh people. If you had chosen you might have mitigated, I think, the exasperation which may be caused by this Bill, and I think you would have been wise if you had done so. The Government think our opposition to the Bill has been too strenuous. I suspect that one of these days they will regret it was not more strenuous and more persistent, so that we could have converted them from their errors on this occasion as we did before. The day will come when the Government will be only too glad to concede the right of trial by jury to Wales, as they are now glad to cast the burden of the tithe on the owner instead of the occupier. I do very much regret that again the Government have availed themselves on this matter of the assistance of their allies who are Liberals in all things except as affecting Ireland. They have voted down Welsh opinion in favour of trial by jury; this is a test of their Liberalism in all things except as regards the Union. If the Government had made this concession I think we might have made a settlement of this question, and certainly I would not myself—I speak for no one else—be voting against the Third Reading of this Bill. You think this Bill is going to settle this question, and bring tranquillity to Wales. I hope it may. I wish I thought it would. I think it is much more likely to bring a sword than to bring peace. At all events, from the form this Bill has finally assumed, in spite of all our efforts, successful on some points, but unsuccessful in many more, I have come to the conclusion without hesitation that I must vote against the Third Reading of a Bill which, I am sorry to say, I believe will cause more evil than it is likely to cure.

*(6.52.) SIR M. HICKS BEACH: We have just witnessed what is always a great and solemn spectacle—that of a man struggling with the supreme difficulty of explaining the reasons for the difference between his views and his actions. I am quite sure, judging from the erratic course the right hon. Gentleman has hitherto pursued on this subject, that if it had remained among the Forms of the House that there should be not only the Question that the Bill be read a third time, but also the further Question that the Bill should pass, on that further Question the right hon. Gentleman would again change his mind. What are the reasons the right hon. Gentleman has given for taking, with regard to the Third Reading of this Bill, a different course to that which he adopted on the Second Reading? First of all, he told the House that the Bill is better than previous Bills. The right hon. Gentleman claims the parentage of the principle on which the Bill is based, namely, that the liability for the tithe rent-charge should be transferred from the occupier to the owner. I think, however, that it ought to be stated, in all fairness to my hon. Friend the Member for Maldon, that it was on his motion and persistent action that the House in 1889 established that principle in opposition to the Bill then proposed by Her Majesty's Government. [Sir W. HARCOURT: I admit it was with his assistance] The right hon. Gentleman further claims that a great part of the Amendments which he and his friends proposed to our Bill of last year have been adopted in the present Bill; that during the progress of the Bill through Committee we have adopted ten

at least of the Amendments proposed on his side of the House; and he has praised, in terms for which I thank him, the manner in which I have attempted to perform the duty of conducting the Bill through the House. Surely these are all reasons for not taking a more hostile course to the Bill on the Third Reading than he did on the Second Reading. The right hon. Gentleman says the Bill is admittedly incomplete. I have made no such admission. The right hon. Gentleman declares that we have recognised an omission in the Bill which ought to be remedied, and he referred to the question of derelict farms and the right of entry of the tithe owner. I myself never regarded the right of entry of the tithe owner as a right of any serious value to him; and if that right is to be complicated by questions of compensation, I do not think we have done any injury to the owner of the tithe rent-charge by omitting it from the Bill.

Sir W. HARCOURT: Will the right hon. Gentleman be kind enough to explain, for certainly it has not been understood until now. Is it understood, then, that this Bill abolishes altogether the right of entry upon the land by the tithe owner?

*Sir M. HICKS BEACH: The 2nd sub-section of Clause 1, as it at present stands, leaves only the right of distraint to the tithe owner to be carried out through the County Court. The right hon. Gentleman also referred to an Amendment moved by the hon. Member for Norfolk, with regard to which I have made a promise on behalf of the Government that we will endeavour so to amend it in another place that the House may again have an opportunity of discussing it. That promise was made simply because hon. Members lost their opportunity of discussing the matter, not because I myself had any objection to the Amendment. The only point upon which the right hon. Gentleman can fairly say the Bill has been admitted to be incomplete by us is that just at the close of our proceedings on Tuesday night the Attorney General, at the urgent request of hon. Members below the Gangway opposite, consented to include in the Bill certain provisions as to costs of solicitors and witnesses in undefended cases which he had previously promised would be made by Rules of Court. I must say I think the contention of the right hon. Gentleman, that he is justified in objecting to the Third Reading because of the incomplete condition of the Bill, is not founded on the facts of the case. Then the right hon. Gentleman went on to complain that the Bill does not abolish distraint for tithe rent-charge. We have never said that the Bill does abolish it. What we have said is that it abolishes the liability of the tenant for the tithe rent-charge, and abolishes the possibility which now exists that the tenant may be distrained upon for a debt that is not his own. Under Clause 1, he can only be distrained upon for the equivalent of the debt which he has himself contracted to pay, until he chooses to make a fresh contract. The right hon. Gentleman objects to the time when the 1st clause will take effect, but he never placed an Amendment on the Paper to carry out his views. He objects to Clause 2, on the ground that it will bring into the County Court a large number of the people in Wales. But the only people, either in England or Wales, who can be brought into the County Court will be the owners of land. No doubt there are in Wales a considerable number of small owners of land; but to say they form a very large part of the population is to speak with an exaggeration which is hardly worthy of the right hon. Gentleman. There is no injustice: there can be no injustice to Wales in this matter, or in the matter of trial by jury. The right hon. Gentleman also objects to the County Court as the tribunal in these matters, because he thinks its decisions will not be based on popular sentiment. I hope judicial decisions will never be given in accordance with popular sentiment. I hope they will be given in accordance with justice and law. Hon. Members from Wales admit that they have confidence that the County Court Judges will act according to law and justice. But if the right hon. Gentleman feels so strong an objection to the 2nd and 3rd clauses, how is it that when these clauses were put from the Chair his name does not appear among those who voted against them? The hon. Member for Sunderland (Mr. Storey) at the time pointed to the absence of the right hon. Gentleman as a proof of his lukewarmness.

SIR W. HARCOURT: Permit me to say I had an engagement which I could not break, and which made it necessary for me to be absent when the Division on Clause 2 was taken. I certainly was not deliberately absent.

*SIR M. HICKS BEACH: I entirely accept the right hon. Gentleman's explanation, and I will not pursue the subject. The real question is not the consistency of the right hon. Gentleman, but whether the Bill in its present shape is such that the House ought to accept it? I will not, however, enter into a discussion of the merits of the Bill, for these have already been fully discussed. I believe it to be a measure which will be an advantage to the tithe owner in assisting him to recover a debt legally due to him; an advantage to the tenants of England and Wales, who will be freed from liability to distraint for a debt not theirs; and an advantage to the tithepayers, who, in cases where it can be shown that the tithe, owing to agricultural depression, is excessive, can claim and obtain relief and remission.

*(6.5.) MR. W. BOWEN ROWLANDS (Cardiganshire): I cannot allow the Third Reading to pass without recording on my own behalf and on that of my constituents, and I hope I may without presumption add the people of Wales, my protest against the principle of legislation involved in this Bill. This is no doubt, in name, a Bill for England and Wales, but no one will deny that in substance it is a Bill to punish persons in Wales who have declined to pay tithe, not because they desire to rid themselves of a just and honest obligation, but because they object to what they consider the misappropriation of the tithe. That such is the true intent of the Bill was confessed in some observations which were made in Committee by the right hon. Gentleman the Postmaster General (Mr. Raikes). I have no sort of inconsistency to defend, nor do I think there is any inconsistency in the course which has been taken by the right hon. Gentleman the Member for Derby. I presume the right hon. Gentleman, in common with others, might well have approved of a portion of the general principle of the Bill, whilst he hoped his own efforts and the efforts of others would have the effect of inducing the Government to adopt such suggestions and Amendments as would have enabled him on the Third Reading, not partially or generally but wholly to approve of the Bill. That expectation, if it was indulged in by the right hon. Gentleman, has been lamentably disappointed, and we are confronted by the argument that the Bill is being passed for the benefit of each and all the various classes of society within the Principality of Wales, while the Bill is condemned by the almost unanimous voice of the Representatives of that country. The Government refuse to allow the people of the different nations who go to make up the Kingdom to legislate for themselves within their own borders on the ground that the House of Commons is able and willing to consider their case; and yet when the whole body of the Representatives of one of the nations unite with one voice in condemning the provisions of a Bill ostensibly brought in for their benefit no heed is given to the representations made. If the measure is to benefit Wales, why do the Government not take care to make the majority of the Welsh people their coadjutors in the work of pacifying Wales? Why do the Government exclude the people from the exercise of part of the judicial functions with which in other matters they are entrusted? Why is it there has been such a desperate resistance to the demand for trial by jury? In principle it cannot be pretended that there is anything in the arguments of the supporters of the Government, because trial by jury already exists in cases where the amount in dispute is over £5. Why if there is no question of principle, and the Bill is for the benefit of Wales, do the Government decline to make the people their assistants in carrying the measure into effect? The effect of refusing trial by jury in cases under £5 is really to deprive the people of Wales of the right of jury trial in such cases altogether, because, practically speaking, the people who will be brought into Court under the provisions of this Bill will be persons whose tithe is under £5. I object to the Bill, not only because it is an irritating measure, but a measure which increases and aggravates and complicates the difficulty which already exists around the collection and appropria-

tion of tithe in Wales. I object to the Bill because it is unnecessary, and not demanded by any large section of the people. Who is it who demands the Bill? It is not the landowners. It is not the tenant farmers or small yeomen, and it is not in all cases the clergy, because in some parts of England, notably in Essex, dread notes of dissatisfaction have been heard from them. And in some parts of Wales the clergy themselves do not seem to regard the Bill as a boon. The increased expenses which will be put on the people through the intervention of the County Court will put a new bone of contention between the people and clergy, in addition to sowing dissension between the landowners and the clergy. I consider it is going to extreme lengths for the right hon. Gentleman the President of the Board of Trade to characterise the conduct of the right hon. Gentleman the Member for Derby, or that of any other Member of the House in regard to the Bill, as erratic, especially when we recollect the peculiar gyrations and singular evolutions which have been performed by the Government itself in regard to the tithe question. I should have thought that, under the circumstances, the right hon. Gentleman would have avoided imputing to the Opposition a course of conduct which has so signally marked the proceedings of the Government on behalf of certain classes who are now owners of tithe. There have been some amendments made in the Bill, but those amendments do not reach the point which the Welsh Members wish to attain. The right hon. Gentleman eloquently and warmly expressed the hope that our Judiciary would never be affected by popular sentiment. In a sense, I re-echo the right hon. Gentleman's hope. If the right hon. Gentleman means that those who exercise judicial functions ought not to be affected by the clamour of the moment I agree with him; but if he means that Judges are to shut their eyes to the circumstances that surround them, if he means that people who share in the popular sentiment are to be excluded from the administration of judicial functions by being kept out of the jury-box, I disagree with him *in toto*. I do not desire to frame any indictment against the County Court Judges of Wales; but Judges have their prejudices as well as jurors. It is impossible for a man to disentangle himself from the effect of his training and surroundings, and it is because I and my hon. Friends believe the prejudices of the one class are less injurious in the long run to the nation's welfare than the prejudices of the other, that we are anxious to insist that justice will not be done if the people of Wales are not made assistants and coadjutors in the carrying out of this Bill by being empannelled as jurors in cases under £5 as they can be in cases above £5. With this protest on behalf of my constituents, against what I believe to be an unnecessary and mischievous Bill, I shall go into the Lobby against the Third Reading.

(6.20.) MR. C. W. GRAY (Essex, Maldon): Since the right hon. Gentleman the Member for Derby (Sir W. Harcourt) has imagined that I was opposed to this Bill, he has been good enough to pay a good deal of attention to my views. I would ask the right hon. Gentleman to do so once more and refrain from opposing the Third Reading of this Bill. It contains so valuable a principle in its 1st clause in regard to the transference of the tithe to the right shoulders that I think we ought to allow the Third Reading to be taken without waste of time. The right hon. Gentleman was good enough to say that he left Clause 3 entirely in my hands. Well, it is in reference to Clause 3 that I have been at issue with the Government; but I have been beaten, and I will not unnecessarily prolong the Debate by reiterating what I have said about it. I will say that at a former stage of the Debates on this vexed question I hoped that more concessions would have been made by the Government on Clause 3. I based that hope on words that fell from the right hon. Gentleman the Postmaster General (Mr. Raikes), who, replying to an appeal on my part respecting the value of buildings, said the point I had urged in regard to a separate assessment of buildings and land, and a reduction of the rateable value of buildings was one which the Government regarded as well-deserving of consideration. But as the Debates proceeded, and some hon. Members opposite—particularly the hon. Member for Leicester and the hon. Member for Northampton—turned their prentice hands to the defence of property, I knew my cause was lost. The alliance then made between the representatives of the tithe owners here and those Radical Members would, I knew, be too much for me, and I acknowledge that it is useless for me to try again to get any of my views incorporated in Clause 3. All I can say is, I hope that when this question again engages the attention of Parliament—and it must do so when the Report of the Commission on the Redemption of Tithe is presented—the compromise and the give-and-take of which we have heard so much, will be more real than they have been during the present Debates. Before I sit down I wish to thank the Government, and especially the right hon. Gentleman (Sir M. Hicks Beach) in charge of the Bill, for the continued courtesy with which they have treated the views that have come from all sides of the House. The right hon. Gentleman in charge of the Bill did somewhat, I must admit, upset my equilibrium the other night by the way in which he was good enough to apply to me the *simile* of the ostrich. But I have since had time to rub up my natural history, and I find that, after all, I need not mind the *simile*, because the ostrich is described as a wary bird that is difficult to catch, and that, when assailed at close quarters, is in the habit of giving very hard kicks. After the very hard kick the right hon. Gentleman says I gave him the other night it would not be graceful on my part to say more on the point.

*(6.25.) MR. G. OSBORNE MORGAN (Denbighshire, E.): As I am one of the Members for a county which is, perhaps, more affected by this Bill than any other, I should be wanting in my duty to my constituency if I did not enter a final protest against it. Upon the whole, I think the Bill in its present shape is rather better than the measure as first produced to the House. I cordially acknowledge the great courtesy and good temper which the right hon. Gentleman the President of the Board of Trade has shown during the whole Debate. If I may say so, it seems to me he has a shown qualities which mark him out for even a higher position in this House than that which he at present occupies. But having said this, I must add this Bill will be immensely unpopular in that part of Her Majesty's dominions for which it is specially intended. Look at the Division Lists on this Bill. I think nearly all the Liberal Members for Wales—certainly all those in town at the present moment—voted solid against the Government proposals. But there are three Conservative Members for Wales and two for Monmouthshire. Out of these five Members, only one—the Member for Pembroke Boroughs, who, after all, represents what is called "little England beyond Wales"—is the only man who has given any support to the Government. It is literally a "one man, one vote" support. I agree with my right hon. Friend in saying it is scarcely prudent for the Government to force down the throat of the population which will be chiefly affected by it even a good Bill. There is in Wales a much larger number of small occupying freeholders than the Government supposes. There are certainly very many thousands of them. The 1st clause may be welcomed by these men, but the 2nd clause will be resented by them. That clause constitutes the Welsh County Courts tithe collectors to the Welsh clergy. It makes a popular tribunal the agent of an unpopular law. What do you gain by such a provision? It will make the Courts unpopular without adding to the popularity of the clergy. You will have litigation in every case, conducted in populous centres, where of course it is much more easy to get up hostile agitations, and when this has been done, you will have to go through the same process as at present, the only difference being that the distress will be levied by the Court and not by the tithe owner. It is quite clear that the clause will not be acceptable to the County Courts or to the numerous litigants who will find their business stopped by the number of cases that will be brought into Court by the Act. It has been called a Clergy Relief Bill. I doubt very much whether it will do much good to the clergy. I believe there are many clergy who feel that the Bill will only make their position more untenable than it is at present. I believe it will be another downward step in the direction of the future of the Welsh Establishments.

(6.31.) MR. SYDNEY GEDGE (Stockport), who spoke amid cries of "Divide," said: I am by no means a strenuous supporter of this Bill, but I cannot give a silent vote for the Third Reading, because there is much in the measure which I and many of my friends disapprove. But if anything could have induced me to support the Bill with all my heart it would have been the remarks made by the right hon. Gentleman and by hon. Gentlemen opposite against it. There can be no doubt that my right hon. Friend in charge of the Bill has with the utmost courtesy accepted many Amendments from the other side, but I cannot say he has treated Amendments coming from his own side in the same way, and the result is that the Bill is capable of much improvement. I was not thoroughly aware of what the Bill did until I read it as amended—and I doubt whether other Members were. It is one of the inconveniences of rushing a Bill through Committee that it takes just as long on Report as in Committee. I find that the 1st clause of the Bill deprives the landlord of his present right to enforce a tenant's covenant to pay the tithe rent-charge, and leaves him open to the one remedy of distress to enforce payment of the tithe rent-charge. That seems very objectionable. The 2nd clause deprives the tithe owner of his right to get his money by distress at the end of 21 days, and keeps him waiting for probably five months before he can do anything at all. The right hon. Gentleman has stated that he does not value very highly the power, of which the Bill also deprives the tithe owner, of taking possession if the land is in the owner's occupation, but I can assure him, from my own experience and practice, that that power is very efficacious. It is true it is seldom put in force, but that is because the mere threat of exercising it is sufficient. The tithe owner can only get the tithe out of the future rents if there is nothing to distrain on, and they will not be able to touch them until a year after they are due. The Bill also makes the rates assessed on the tithe rent-charge a personal debt due from the tithe owner, who may not have received the tithe rent-charge on which they are assessed—a personal debt which can be obtained by execution or distress upon his property. The argument of the hon. Member for Cardiganshire (Mr. Bowen Rowlands) simply came to this: that the law ought either to provide for the immediate disendowment of the Church of England or to provide that no tithe rent-charge should be recoverable against any occupying tenant. With regard to the costs, I must point out that they can never be incurred by the defendant unless he has refused to pay that which the Court has decided to be a just debt, and if any costs are incurred it will be his own fault.

(6.39.) MR. HENEAGE (Great Grimsby): I should not have interposed at this stage of the Bill but for a remark of my right hon. Friend the Member for Derby (Sir W. Harcourt), who endeavoured to make out that I and some of my hon. Friends differ from my right hon. Friend the Member for Bury (Sir H. James) in the recommendations he has made with regard to the measure. On the contrary, as far as I am concerned, I have voted consistently every time in the same Lobby as my right hon. Friend, and there has not been one of my right hon. Friend's recommendations which has not had my concurrence. As nearly all my right hon. Friend's recommendations have been carried without a Division, I should like to know what has led the Member for Derby to believe that we differ from my right hon. Friend. Though I supported the Amendment of the hon. Member for the Maldon Division of Essex (Mr. Gray)—and regret that it was not carried—I loyally accepted the decision of the House. I hope the right hon. Gentleman the President of the Board of Trade will be right and I wrong, and that the Bill will prove thoroughly satisfactory to every one in the country.

(6.41.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): I desire to draw the attention of the right hon. Gentleman the President of the Board of Trade and of the Attorney General to the 5th sub-section of the 2nd clause. It provides—

> "Where the occupier of the lands out of which the tithe rent-charge issues is liable under any contract made before the passing of this Act to pay the tithe rent-charge, and is, consequently, liable by virtue of this Act to pay the amount thereof to the owner of the lands, the owner of the lands shall serve notice of such liability on the owner of the tithe rent-charge, and, thereupon, before an order under this section is made, there shall be such

service on and hearing of the occupier in addition to the owner as may be prescribed."

But there is no penalty whatever imposed and no security taken that the owner shall serve such notice, and, therefore, it seems to me that there has been an oversight. There ought to be a provision declaring that where the owner of the land neglects to serve notice on the owner of the tithe rent-charge, then his remedy against the tenant shall cease. If no penalty is attached to an omission of this kind on the part of the landowner, it is questionable whether he does not by omission render himself criminally liable to an indictment. Under the Bill a statutory obligation is imposed, but no penalty is provided for non-performance of that obligation. I merely draw attention to this in the hope that the right hon. Gentleman will consider the matter with the view—if he agrees with me—of having the defect in the Bill cured in another place.

*(6.44.) MR. MORTON (Peterborough): I intend to vote against the Third Reading of this Bill, and I venture to trespass on the time of the House for a few moments in order to say what I had not an opportunity of saying on the Second Reading of the Bill. [*Cries of* "Divide!"] I object to the Bill because it is an openly avowed electioneering Bill, and nothing else. We are told that it is the result of a bargain between Lord Salisbury and the Church—the Bill being offered to the Church for its support at the next election. Well, I object to the measure being forced through Parliament simply on that account. If it were brought forward as a matter of business to facilitate the collection of tithe, I could understand it, and should support it, but we know very well it is no such thing. Then, I object to the Bill because I object to any interference with the collection of tithes until the question of what shall be done with this national property has been settled by Parliament. That is one of my strong objections to interfering with the subject at all, because I say it settles nothing. It does not get rid of the question before us, and which has been before us all along. So far as the 1st clause is concerned, I, of course, heartily agree with the principle that the landlord or owner of the land should pay the tithe. It was always intended that he should do so, but most landlords have contracted themselves out of it, and would do so now if they could. [*Continued cries of* "Divide!"] We have been told by the Postmaster General that the real reason why this Bill is brought forward is to settle the religious difficulty in Wales. Well, this is not going to settle it, and, even if it were, to my mind it is not the proper way of settling it. My opinion is, that the proper way to settle the matter is by Disestablishment and Disendowment; but I do not want to go into that question until it is before the House. I have here a letter from a noble Lord, written in January of this year, in which the same opinion is expressed. At any rate, therefore, we shall have one supporter when this Bill gets to another place. [*Cries of* "Name!"] I have no objection at all to giving the name. I refer to Lord Brabourne. That we should have a proper settlement of this question in the way I point out is the view not, perhaps, of the money-making Bishops, but of the hard-working clergy. They would prefer to see a settlement by Disestablishment and Disendowment, because the present difficulty separates them from the people. But I have another objection to the Bill, and that is that the tithe is not now, and will not be when the measure is passed, honestly divided amongst the Church ministers. We are constantly being told, especially by the Church, that the religious income is for the religious instruction of the whole of the parishioners. That I quite agree with, but I disagree with this Bill, because it does nothing to compel the Church itself to divide the income properly amongst its own ministers. The parish in which I live has five churches, each with an ecclesiastical parish of its own. [*Renewed cries of* "Divide!"] Perhaps it will surprise some people who support the Church so strongly to hear that the whole of the income in the parish goes to one church, and that the other churches which are called upon to perform four-fifths of the work have no endowment whatever, and have to depend, like the Nonconformists, on what they receive from the people. Is that right? Is it right for one clergyman of a parish to put the whole of the income in his pocket and allow other

clergymen to do the work? Before I agree to any interference with the collection of the tithe I want to see these questions settled, and I am speaking not as a Nonconformist, but as a Churchman. I have another reason—[*Cries of* "Divide!"]—and a very important one, as it comes from the Church herself. The Church has declared that it is persecution to force people to pay tithe in support of a Church they object to. I may be told that that is not correct, but my attention has been called to the fact that this subject was discussed in 1771. [*Cries of* "Divide!"] I have here a copy of a letter written by the celebrated Benjamin Franklin on this question of persecution. On June 3rd, 1772, he wrote:—"Sir, I understand from the public papers——[*Continued cries of* "Divide!"]

*MR. SPEAKER: I must point out that the hon. Gentleman's observations are not relevant to the question before the House.

*MR. MORTON: The letter shows that the Church of England claimed that it was persecution to compel Episcopalians to pay tithe or tax in support of the Presbyterian Church, and the Americans settled the question (and that is what I want you to do before you pass this Bill) by allowing every person to pay his tithe or tax to the Church he made use of, and gave the minister of that Church power to compel him to pay it. As a Churchman, I object to persecution, and I object to dealing with this tithe question until we settle it in the interest of the whole of the people. [*Cries of* "Divide!"] If the Bill had been brought in by a Liberal, not a single Member on the other side would have voted for it. I shall vote against it as a Churchman and a churchwarden, and I shall oppose every Bill of this sort until you are prepared to disestablish and disendow the Church.

(6.57.) The House divided:—Ayes 250; Noes 161.—(Div. List, No. 56.)

Bill read the third time, and passed.

ELECTORS REGISTRATION (ACCELERATION) BILL.—(No. 147.)

SECOND READING.

Order for Second Reading read.

*(7.12.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): It will not be necessary to occupy the attention of the House long in explaining the Bill, the Second Reading of which I now rise to move. In consequence of the passing of the Local Government Act, the register has been very largely increased by the addition of numbers of electors for the purposes of the County Council elections. Representations have been made to the Local Government Board that the time between the last day for the revision of the register and the day for the completion of the register is not sufficient. The last day for the revision of the register is the 12th of October, and the day for the completion of the register is the 20th of October, leaving, therefore, only eight days for printing and completing the register. The most important representation which was made to the Board on this subject was made by a deputation from the County Councils Association. It was not in any way a representation from any particular Party, as no Party question was involved, and it was introduced by Mr. Hibbert, at one time Secretary of the Local Government Board. It was stated by this deputation that while in every case the expense of preparing the register would be enormously increased if the present limit of time were maintained, in some cases—those of large counties with a great number of electors—it would be absolutely impossible to complete the register in the requisite time. In any case the haste necessitated would lead to a great deal of inaccuracy and incompleteness. The hon. Member for Somerset induced Parliament to pass a Bill in 1889, which was operative for two years, and which remedied the complaint which had been made. But we are now face to face with the election for County Councils on the 1st of November next, and therefore it is essential that if anything is to be done in the direction I have indicated it should be done quickly. It was represented to me by the deputation which waited on me that the difficulties in the way of private Members passing Bills were so great that unless the Government undertook the charge of the present Bill there was exceedingly little chance of its passing, and the consequences would be very serious at the election for County Councils in Novem-

ber. I could not but acknowledge the force of this representation. It would be a great misfortune if the registers were not ready in time, and sufficient time given to secure that they should be as correct as possible. I have, therefore, introduced this Bill, which make some important alterations in the dates. The main alteration is setting back the end of the qualifying period from July 15th to June 26th. The reason that date has been taken is in order that householders going into occupation on quarter day should not be placed in any less advantageous position than under the present period. Instead of leaving only 12 days between revision and completion the Government propose by an alteration of the dates to give a period of 27 days, which it is said would be ample for the purpose. Under the Bill the revision will be over on September 23rd, and the register will be completed on October 20th. When I undertook to introduce the present Bill I did so with certain qualifications and reservations, which were assented to by all the Members of the various Political Parties who attended with the deputation which waited on me upon the subject. I said to the deputation that it was quite impossible, in view of the other engagements of the Government, to introduce a Bill of this kind if it should be made the ground for an attempt to revise the whole registration law and re-open the various important questions which I know many Members desire to see opened upon the question of registration. It is obvious that a revision of the whole Registration Law is a matter of first-class importance, and would require to be very fully discussed in this House, so that we could hardly expect to get it through without giving up a considerable amount of Government time for that purpose. On the other hand, the proposals in the Bill are of a very simple character, and deal entirely with machinery. They raise no questions of serious importance in connection with the registration of voters. The Government have undertaken the charge of the Bill with a view of making the register as complete and accurate as they can for the next election, and I hope the House will assist and support the Government in the limitation which they have laid down, and not endeavour to carry the Bill beyond the four corners of these small machinery alterations. There is, however, one alteration which I think will meet with general acceptance. The register for Parliamentary and local voters is now practically the same, and if the register is to be brought into operation on November 1st for the purposes of local elections, I see no reason why it should not be brought into operation for all purposes on that date. If the Bill is to be operative for the next register we have no time to lose. I will ask the House, therefore, to assist the Government in passing into law at the earliest possible date the recommendations I have made.

Motion made, and Question proposed, "That the Bill be now read a second time."

(7.28.) Sir H. JAMES (Bury, Lancashire): I think the House will agree that the Bill makes a useful alteration in the law, and will probably be accepted without much contention. I have only two criticisms of a practical character to make upon the Bill. The County Council Register comes into operation on November 1. It is to be deposited with the returning officers on October 20. A week must be allowed for printing. The Government must find some means of trying the appeals, for otherwise the appeals from the decisions of the Revising Barristers must go unheard. The result would be that persons not entitled to vote would be upon the register, and persons entitled to vote would not be on the register at the time of the election. I do not see how the Government can meet that difficulty if they adhere to the dates they have given. Another point is, that by changing the date from July 15 to June 26 any person having gone into occupation on July 1 would be disfranchised for a year. I do not think we should ruin the Constitution if, for this year, which is the only year to which it will apply, we made the qualifying period 345 instead of 365 days.

(7.30.) Mr. COBB (Warwick, S.E., Rugby): I think the measure which has been introduced by the right hon. Gentleman the President of the Local Government Board will be regarded by hon. Members generally, on both sides of the House, as introducing for a special and limited purpose what he considers a necessary change in the present state of things; but at the same time I concur with my right hon. and learned Friend the Member for Bury in regard to what he has pointed out as practical objections to the measure. I do not speak so much with regard to the way in which it will operate with reference to County Councils, of which bodies I know very little, but I understand to some extent the way in which the Bill touches the Parliamentary Register, and it is solely as to the Parliamentary Register that I now wish to speak. I may, however, say one word with regard to the County Councils Register, and that is, that in my belief, if the right hon. Gentleman the President of the Local Government Board were to issue a circular to those who are responsible for the preparation of the register, urging them to proceed with their business with all possible despatch, the work that has to be done might be accomplished in plenty of time. If this is not done, I think the most simple way of dealing with the matter would have been not to have brought in this Bill, but simply to have postponed the elections of the County Councils from the 1st of November to the second week in January. I believe the bulk of the people all over the country agree with me that that would be the most practical and popular way of dealing with this question. With regard to the Parliamentary Register I would call attention to four practical objections which seem to me to present themselves on a consideration of this Bill. The revision of the register by the Revising Barrister, under this measure, is to take place between the 20th of August and the 23rd of September. Now, Sir, I venture to think that that will be found to be a most inconvenient period for overseers, especially for those who reside in the rural districts, a large proportion of whom are farmers. It would be highly unsatisfactory to those who have to discharge the duties of overseers to be called upon to go before the Revising Barristers at that particular period of the year. If it is difficult for the farmer I am afraid it will be more difficult for the voters, and as I know, representing an agricultural constituency, in such constituencies voters are to a very large extent agricultural labourers. The period between August 20 and September 23 is not only the time of harvest for grain, it is also their harvest for wages. At this period they earn the highest wages they receive throughout the year. I also know from experience that many of these men have to attend before the Revising Barrister because of objections to their votes. Without making any imputation against anybody or introducing any party feeling, I may say that in my own division I was told that in one year 400 absurdly frivolous objections were taken to votes of men in the labouring class in the hopes that some of them would not be able to attend and defend their claims, and so would be disfranchised. That is a point, however, I will not now deal with; it is a matter that will have to be dealt with some day. That is my first point, that the time proposed for revision will be very inconvenient not only for the overseers, who are generally farmers, but for the agricultural labourers who will have to defend their votes if they are objected to. Then I want to point out a much more serious objection. The right hon. Gentleman the Member for Bury (Sir Henry James) has pointed out there would be some disfranchisement under this Bill, but I do not think the House is aware of the extent to which that disfranchisement will really go. I observe the memorandum attached to the Bill which the President of the Local Government Board has been good enough to distribute for explanation of the contents of the Bill, says in the last line that the Bill "does not in any way propose to alter the franchise." Now, I question the strict accuracy of that statement, because I think I can show that the Bill will disfranchise a large number of the working classes, and therefore it does to that extent alter the franchise. The Bill proposes to alter the period of qualification for occupation voters on the Parliamentary Register from July 15th to July 15th, as it is at present, to the period from June 26th to June 26th; it proposes also to alter the date when the register shall come into force from January 1st to November 1st. Well, of course that is a very excellent provision; we all recognise that, for it to some extent shortens the time of the present ridiculous period for which a man has to live in a place before he can vote; but even that very shortening from January 1st to November 1st, even that, because the Bill is retrospective, in itself causes disfranchisement. I am afraid I may be rather tedious, but these are technical matters, and I will try to make myself clear. Every voter who is now on the present register, that is, the register which came into force on January 1st, 1891, under the present law, can give his vote in any election which takes place between January 1st and December 31st, 1891. Now, what can that man do when this Bill is passed? If he changes, or if he has changed his constituency without receiving any notice of any new legislation, after June 26th, 1890, it is clear he will not be entitled to be on the new register, under the arrangement in the Bill, coming into force on November 1st, 1891. If that is the case, he will not be upon that register, he will not get any qualification for that register, but he will distinctly lose the right he has now to vote in all elections which take place between November 1st, 1891, and January 1st, 1892. If that is so, clearly there is a disfranchisement, I do not know of how many voters, but if it disfranchises only one man surely that is not seriously proposed, and surely the House will not agree to it if it is? And now I am going to point out a disfranchisement which seems to me to be very much more serious and which, so far as I am able to gather the facts, will be a disfranchisement under this Bill of thousands of the working classes. I will try to make this clear. The effect of this Bill will be that every single voter who changes his constituency —I say constituency, for I am not alluding to successive voters—or who has already changed his constituency irrevocably, and without notice of this proposed change, between the 26th June and 15th July, 1890, will be disfranchised under this Bill for a period of 10 months, from January 1st, 1892, to November 1st, 1892, I will give an instance to make that clear.

*MR. RITCHIE: It is so.

*MR. COBB: Well, if the right hon. Gentleman admits that, I need not trouble the House with my illustrative instance. All these men, therefore, will be disfranchised for 10 months. Well, then, a Bill which takes away existing rights ——

*MR. RITCHIE: We will make provision for that.

*MR. COBB: Then, upon that understanding, I pass on from that to mention another point. The scope of this Bill and the scope of the Schedule is to put every date forward by 19 days; but there are exceptions for which I do not know the reason, and one exception is the payment of rates. Instead of the payment of rates being put forward by 19 days it is put forward by 35 days. Of course, it is obvious that imposes a liability upon a man to pay his rates in order that he may vote at an earlier date than that to which he is now subject. I do not want to continue discussion; I have prepared Amendments for Committee with a view of remedying these points to which I have taken exception. Of course, if there is a flaw in the view I have taken I shall be the first to admit it if it is pointed out, but if my view is the correct one, then I think these dates ought to be altered. No one ought to be disfranchised under this Bill; no farmer or labourer ought to be taken from harvest operations to attend before the Revising Barrister; and the period for payment of rates ought not to be altered. I must say it is an unfortunate time for us to approach this question. I quite agree that we have in the near future to deal with it, and I know the idea now is to deal with the next County Council election, but there will be plenty of time to deal with it before another County Council election comes on, and for the sole purpose of facilitating one County Council election on November 1st, all these alterations are to be made, and all these difficulties will arise, and there are so many technicalities connected with it that there may be other wrongs and inconveniences done by the Bill which none of us are yet able to see. I cannot understand why the Government, instead of making these changes now, do not make a determined effort and push on the printing. I am sure that if the printers are pushed they can get the work done in the time we have now. I am told by Town Clerks there is no difficulty in pushing on the Municipal Lists, but if there is a difficulty, then a simpler way would be to postpone the County Council elections to the first or second week in January. I have taken the trouble to collect opinions from those interested, and since the deputation waited upon the right hon. Gentleman, when I am not quite sure that the scope of the Bill was understood, and they believe that this postponement would be the better course.

*(7.40.) COLONEL HUGHES (Woolwich): I admit difficulties arise in carrying out the object of the Bill, which is that the elections on November 1st shall be on the new rather than on the old register, and to avoid postponing elections until January. The arrangement of the Bill appears to me to be excellent, and I have no doubt that any good suggestion will receive attention at the next stage, and hence it is that I mention one point, and that is the fixing of June 26th as the date from which the qualifying period shall extend back for 12 months. I think the right hon. Gentleman must have intended 12 months prior to June 25th, because Midsummer Day is June 24th, and therefore this date of June 26th appears to me—and I speak from practical experience—just one day too late, because those whose tenancies expire on quarter-day will hold occupation until 12 o'clock on the 24th, but they will not be in possession on the 25th, so if the 26th is the end of the qualifying period they will be a day short. As we come so near quarter-day we might as well make the date coincide, so that the 24th may be the end of the qualifying period, up to the 25th instead of the 26th. I am sure my object will be appreciated, and I conclude that it was forgotten that the Midsummer quarter-day is June 24th, though Christmas and Lady Day fall on the 25th of the months. With regard to hearing householders' objections before the Revising Barristers in the months of August and September, I think, perhaps, the evening sittings which are used for the purpose of listening to lodger qualifications, might be utilised to a certain extent for those householders who cannot attend in the day time, but in regard to appeals it does not strike me how that can be remedied, because the Courts are not sitting. But no doubt some special arrangement might be made for taking appeals in the month of October; there are not many of them. The balance of convenience is very much in favour of the Bill, and I do not think it is beyond the skill of its promoters to make it perfect in Committee. I trust that we shall have a new register for the convenience of the County Council elections, and perhaps of a general election, and that we can thus dispose of our electoral differences before Christmas.

(7.45.) MR. F. ROBINSON (Gloucester): I quite admit the difficulties attending this question, but I am afraid the proposal of the Government will create new difficulties I should like to see avoided. It seems to me the better plan would be to postpone the elections. I should like to see the elections in counties and boroughs postponed until March 31st, which is the end of the financial year in these local matters. November is one of the worst months in the year for election purposes. It is dark at four o'clock in the afternoon, and when we think of our country friends traversing long cross roads and dark byways after attending a County Council election, I am disposed to think their interest in the proceedings will much diminish. They have not had the experience in this matter which we have had in the towns. When November was fixed originally the same objection did not exist as now, because the poll closed at 4 o'clock, but now that the polling time is extended to 8 o'clock, I can assure the House there are very serious inconveniences to contend with in the dark hours of a November afternoon, when the electors are open to all sorts of corrupt influences. It is very objectionable. I cannot conceive how in country districts the people are to be brought to the poll if the polling is fixed for November, and kept open till 8 o'clock. I have had considerable experience in local municipal matters, and I know the difficulties that exist, and I firmly believe that a few years' experience will so convince people of the difficulties and inconvenience that everybody will be glad to have the elections changed from November to March, when the days are longer and brighter, and which is the end of the municipal financial year. The alteration will have to be made eventually, and why not make it now? The President of the Local Government Board pleads shortness of time, but my proposal would not take any longer than the present Bill, and it would, in addition, give plenty of time for the registration to be attended to, and also for all registration appeals to be determined in time to be inserted in the new list of electors. No Party question is involved, and I earnestly appeal to the Government to consider my alternative plan.

(7.50.) MR. HOBHOUSE (Somerset, E.): As I had the duty of introducing a similar Bill to this on behalf of the County Council Association, I may be allowed to say a few words. As has been pointed out this is a practical measure, it has no political import, and there is no attempt to drift into it important questions of registration in which much interest is taken. I can assure my hon. Friend the Member for Rugby there are practical necessities for the Bill. He seems to think that by putting sufficient pressure upon printers and Revising Barristers the lists might be got through in time, but I can assure my hon. Friend that in a large county where there may be 100,000 names to put on the register under the present law it will simply be an impossible task without waste of money and danger of inaccuracy. That is the opinion of all the Clerks of the Peace, and no class of men have so intimate an acquaintance with the subject. The object of the Bill is twofold—to save Clerks of the Peace this almost impossible task and the money of the ratepayers at the same time. The proposal is to put forward the date by 19 days, and an alternative has been indicated—the alteration of the date of election, and there have been several expressions of opinion in favour of this alternative course. I must say, however, the suggestions made have been somewhat discordant. The hon. Member for Rugby proposes to alter the date of election to January 1st; but the hon. Member who has just spoken (Mr. Robinson) thinks March a better time. No doubt we all have our private preferences; but I may point out that at a large meeting of County Council representatives, held in November last, the alternatives to the Bill were fully discussed, and only one Gentleman present was in favour of postponing the day of the County Council elections. Those of us who are familiar with these matters must strongly object to having the date of election put more into the middle of winter. The 1st of November may not be a perfect day, but certainly it is better than the 1st of January. It would be a mistake to postpone the day of election, already fixed for November, to the following spring, and thus compel many County Councillors, who have other duties to attend to at that time of the year, to begin their County Council duties at an inconvenient season of the year. There is one clause in the Bill which was not included in the Bill promoted by the County Council Association last year; that which affects the Parliamentary Register. We thought that was outside our functions, but the House will see it is only sensible and practical when you have a register complete, to bring it into operation without delay. The defects which have been pointed out will no doubt be considered by the Government. As to disfranchisement, which the hon. Member for Rugby has so clearly explained, I am sure that there is no disposition, either on the part of the Government or of the parties interested in the Bill, to refuse to insert any necessary safeguards for the protection of any elector who may be affected by the change. It was considered by the original framers that the number of electors who would be thus affected would be almost inappreciable. As to the selection of the 26th of June, that date is chosen because in certain years the 24th might fall on a Sunday, and as in that case the tenant would go out on the 25th the qualification period would remain as under the existing law. If we put back the period to 12 months preceding the 24th that would alter materially the franchise as it stands at present, and a principle in the Bill is to affect the franchise as little as possible.

*MR. COBB: In no way.

MR. HOBHOUSE: I am in no way responsible for the memorandum; I am speaking of the view of the promoters of the Bill introduced last year, and I believe the Government in this Bill have the same intention. It may be that the memorandum, a little over or under, states the effect of this Bill, but I believe the intention in the Bill is to affect the franchise as little as possible, while making a change in machinery to save inconvenience and expense to all the ratepayers in the country. I trust a way may be found of meeting the objections raised, and I hope there will be no unnecessary delay in the passage of what I am sure will be a very useful measure.

(7.56.) MR. J. STUART (Shoreditch, Hoxton): Those who endeavour to substitute for the Bill an alteration in the date of the County Council elections may be doing a very good thing so far as County Council elections are concerned, but they lose one of the great points gained by the Bill. The principal point gained is that you get a County Council election upon a brand new register, and we have all the more probability of getting a general election for Parliamentary purposes on a brand new register, or at any rate on a newer register than it would otherwise be. Not only is the register to be a new one for the County Council elections, but it will bring the voter to the poll at a period nearer to the beginning of his occupation than now. It will shorten the period between the commencement of his occupation and the end of his qualifying period. That I consider is a great advantage in the Bill. Whether County Council elections should be held at a later or earlier period of the year than at present is another question. I think, for the reason I have given, most sections in the House will welcome the principle of the Bill. There is no doubt that the Bill does bear traces of a want of full consideration in its preparation, and it is unnecessary to add a word to the extremely lucid explanation given by the hon. Member for Rugby, to show that on the points he indicated the Bill needs amendment. There is another point which the right hon. Gentleman will, I believe, be ready to correct, the opportunity for new lodgers under the present Bill is less for the signing of these clauses—I do not mean for the presentation of them—by something like three weeks. That I believe will also be put right. We are indebted to the right hon. Gentleman for putting various points of disfranchisement straight. There are two points of difficulty to which I desire to call attention. One is with regard to the date on which poor-rates are to be paid, and the other is a more permanent disfranchisement caused by the date of a change of residence from one borough to another. With regard to the first, I admit that it is an excellent thing for the rate-collecting authorities that they should have an opportunity of getting their rates in sooner, but I do not see why there should be any alteration in the number of days allowed under the present system. The hon. Member for Woolwich has suggested that the qualifying period should be from term-day to term-day. The very fact that the suggestion came from the hon. Gentleman shows how entirely out of the region of party politics is the suggestion. For three weeks ago the London Liberal Members, in a deputation to the right hon. Gentleman, brought this very matter before him. I cannot admit that by putting back the date from the 26th of June to the 24th of June, there is any alteration in the franchise. Suppose, for instance, the term-day were to be altered from the 24th of June to the 15th of July, there would be no substantial alteration in the character of the franchise, but there would be prevented that disfranchisement which takes place at present because of the non-coincidence of the quarter day with the termination of the qualifying period, I cannot see how the franchise would be affected by putting back the date which the right hon. Gentleman has now put back by 18 days, two days more. At the present every man who changes his occupation from one borough to another on quarter day loses his vote for a year and the disfranchisement will continue under the new arrangement. It does seems very hard that if a man occupying a house on one side of a street, which is in the Bethnal Green Division, crosses over on quarter-day to the other side of the street, which is in Shoreditch Division, he should lose his vote.

*(8.5.) LORD H. BRUCE (Wilts, Chippenham): I am quite sure the Government are actuated with the best intentions in asking the House to read this Bill a second time, but I regret for all that, that it is not a more comprehensive measure or far-reaching one. No measure of registration will ever be a just one until every qualified elector is placed on the Register by some recognised official without any trouble or difficulty to the voter. The *onus* of the objection could still remain, as at present, on either political parties for the ultimate decision of the Revising Barrister.

*(8.7.) MR. LAWSON (St. Pancras, W.): I wish to emphasise the appeal

made by my hon. Friend the Member for Hoxton (Mr. Stuart) to the President of the Local Government Board that he should, now that he is tinkering with the law, change the date from the 26th to the 24th of June. If he did so, he would rectify an anomaly which is felt very grievously in the Metropolis by both Political Parties equally. I can quite understand the right hon. Gentleman wishing to avoid large questions of registration, but I assure him he would do a great deal for us in London in regard to the mere business work of registration if he consented to the alteration in the dates we suggest. It is really a very small matter. He will have our support in any case, but he would do a great deal more to merit the gratitude both of the London Members and the London County Council if he acceded to our wishes in this respect. I do not think there is any advantage gained by introducing the question of what month is best suited for the elections. That has nothing to do with the Bill. We merely ask for a very small reform of machinery; and if the right hon. Gentleman is able to make the concession we seek, I am quite certain none of my colleagues in the representation of the Metropolis would try to introduce any Amendments in Committee inconsistent with the purpose he has said animates him and the Government. (8.11.)

(8.43.) MR. MALLOCK (Devon, Torquay): Sir, with reference to the remarks made by the hon. Member for St. Pancras, I wish to ask the Attorney General if he will explain whether the Midsummer tenant going out on the 24th June would be put on the register. If a tenant came on the 24th June, 1890, for instance, and his tenancy terminated on the 24th June, 1891, and if again the Bill were altered from the 20th June to the 24th June, would that tenant be put on the register? I have letters from the representatives of all parties suggesting the 24th June might be the date adopted. There is one inconvenience which must occur from this Bill. At present the overseers have 37 days from the 24th June to the 31st July to watch the changes and to make out their lists, and that time in many cases is hardly sufficient. Under the Bill the 37 days would be reduced to 18. If I understood the President of the Board of Trade aright he is going to accept the suggestion of the right hon. the Member for Bury, and that he will take care that those who come into residence between the 26th June last year and the 15th July should not lose their votes. I had intended to draft an Amendment to that effect, but now it will not be necessary.

*(8.45.) MR. CAUSTON (Southwark, W.): Sir, several hon. Members have made suggestions about the qualifying period. For my part, if we cannot have the qualifying period the 24th June, I would much rather, under present circumstances, continue the present qualifying period the 15th July. Of course, we are all in favour of the acceleration of registration, but I think it is quite possible, if a little pressure were put on the Revising Barristers, or if an addition were made to their number, that the registration work could be completed by the 30th September. I think the revision might be commenced on September 1st, and still be completed by the 30th, which would get over the harvest objection of my hon. Friend the Member for Rugby. So many objections have been pointed out to the details of this Bill that it would be much simpler if the Government adopted the suggestion I make to keep the qualifying period for the present at the 15th July, and to see that the Revising Barristers do their work between the 1st and 30th September. The President of the Local Government Board said he had no intention of dealing with the general subject of the franchise and registration. I suppose he made that statement on behalf of the Government as a whole. Yet we have on the Paper to-night a Bill which deals with the ordinary Registration Law, and later on we shall have something to say about it. With regard to the present Bill, several inconveniences have been pointed out, especially those indicated by my hon. Friend the Member for Rugby, and, therefore, the Government must expect that when the Bill reaches Committee they will have to deal with several Amendments.

(8.48.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The hon. Members who have discussed this Bill have pointed out several matters of detail and principle. First, with regard to the suggestion of the right hon. Gentleman the Member for Bury as to the best way of dealing with the possible contingency of appeals for Revising Barristers. If this is felt to be a serious difficulty we shall have to consider before the Bill leaves the House how far it is possible to include in the measure some alteration with regard to appeals. It has been suggested by the hon. Member for Rugby that that is a matter for inquiry and consideration. We quite recognise that. Assuming that the House has determined that the operation of the register should be accelerated in the case of the Parliamentary Register, there is one way it appears to me of meeting this difficulty. At present, owing to the old rule, appeals from the Revising Barristers cannot be heard until the 6th of November. It is a relic of the old term, called the October Sitting. The Revision Court is always a strong Court of three Judges; and it occurs to me, should it be ultimately determined to retain the provision that the Parliamentary Register should come into force on the 1st November, that some arrangement might be made whereby the Revising Barrister would put stars against the printed names, or print them in italics, thus indicating that certain questions were raised. Then arrangement might be made for appeals to be heard at the very commencement of the sittings, so that the register would be in effect, even so far as the starred names are concerned, if not by the 1st of November, within a very few days after. So far as the Parliamentary Register is concerned, no serious inconvenience, if any at all, would occur. [The hon. Member for Rugby dissented.] The hon. Member is quite right; I say it is impossible altogether to avoid the difficulty. With reference to the suggested alteration of the date for County Council elections, it will be remembered that all municipal elections take place at the beginning of November, and it would involve various disturbance and dislocation of business if those elections were put forward to January or March. The next matter which requires mention is the possible disqualification, not in future years, but in the year 1891, for the fact that persons have not occupied for the qualifying period, the 12 months, in consequence of having removed between the 25th June and the 15th July. The right hon. Gentleman the President of the Local Government Board has intimated that that can be cured by a provision in the Bill. So far as that temporary disqualification is concerned there would be no difficulty in meeting it. The hon. Member for Rugby objected to the Bill on the ground that the revision would take place during the harvest months. I do not see that there would be much difference between the existing period of revision and the proposed period, as affecting the harvest months. I do not think it will turn out that there will be any serious inconvenience in that respect. I would remind the hon. Member that his objection also applies to the County Council elections, and if the objection be insisted upon we shall have to consider whether the Bill is to be pressed forward, because it is an objection which strikes at the position of the whole matter. It is not possible to discuss it unless the hon. Member moves the rejection of the Bill. One or two hon. Members have fallen into a little error, not unnaturally, with regard to the first line in the Schedule, as to the payment of rates on the 15th May and the 1st June. The word should really be "notice" instead of "payment." The rates in question are the rates payable on the 5th January. As a matter of fact, the earlier we put the notice as to the payment of rates, the better it would be for the voter, because he would have a longer notice that he would be disqualified if his rates were not paid. But lower down the Schedule there is an alteration from the 20th July to the 15th June. The hon. Member referred to the 1st June and the 15th May.

*MR. COBB: I did not name any date at all. I said that the payment of the rates was put forward, instead of 19 days, 35 days.

SIR R. WEBSTER: I apologise to the hon. Gentleman; it was some other hon. Member who made that observation. As a matter of fact, if he looks at the history of this matter he will find that it ought to have been put at an earlier date in the original Act. It is, however, a matter of no substantial importance, because the notice is to be given on the 15th May, and on the 15th June the man has to pay his rates. We think that a proper date, having regard to the scheme of the Act. It is a matter for the House to decide whether an earlier or a later date should be fixed. I think it will turn out for the proper working of the Bill that it ought to be the 15th June. It has been suggested that the matter could be brought right by bringing greater pressure to bear on the printers; but from communications I have had with Clerks of the Peace, I find that the necessity of one or more revisions of the list, and, in some counties, the distances to be traversed before the printer can be reached, constitute serious difficulties in the way of satisfying the objections of the hon. Member for Rugby. The hon. Member for Southwark suggested that we should increase the number of Revising Barristers. Well. I should be glad if a larger number of deserving members of my profession could receive the small emoluments which are given for the very hard work of registration, but, after all, we have to consider the necessities of the case, and it does not seem to me requisite to increase the number of Revising Barristers. We should not have more of these gentlemen than necessary to perform the work of revision efficiently. We might get over the difficulty of revision by having a larger number of Revising Barristers, but it would not get us over the difficulty of printing, which is one of the principal difficulties.

*MR. CAUSTON: I suggested that the 30th September should be the date fixed upon, which would give time for printing.

SIR R. WEBSTER: That date, as compared with the 23rd September, has been very carefully considered by the Clerks of the Peace in the counties with the idea of getting the two or three days that they think necessary. The date we have adopted has not been selected haphazard, but after very careful consideration. The hon. Member for St. Pancras and one other Member suggested that we should make the qualifying period end on the 24th June, so as not to disfranchise anyone, but, as was pointed out by an hon. Member behind me, that would disqualify people very seriously. I need not remind the House that the qualification is for "on and for

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12 months preceding" the qualifying day, so that if you fix the 24th June it would be a positive disqualification to many voters who would not be able to prove that they were in occupation of their new premises on the 24th and 12 months preceding, and they would remain on the register for a long time in respect of an old occupation, and would not be able to qualify for the new register. That would effect an alteration in the law which ought not to be made in this Bill. It would be unwise to incur the risk of disfranchisement in a large number of cases for the sake of the simplification of the process by taking the earlier day. Why the 26th is taken is this: No difference of qualification in any year except the first can arise as compared with the existing law. Any question of the occupation not having been long enough in the year 1890-91, can be met by a special clause. The disqualification arises by the fact that on no other date would the occupier have been long enough on the register; but when you have to shift from the 15th July back to an earlier date all that you have to do is to take the earliest possible date that would not disqualify, and the earliest possible date is the 26th June. The 25th June would have given rise to some legal questions, therefore, to be absolutely safe the 26th is taken instead of the 25th. It is immaterial for the purpose of this Bill which date is taken. It would only be material if we were going to make such an alteration as is proposed by the hon. Member for Hoxton and the hon. Member for St. Pancras. That we have said we cannot do, but we have gone back as far as we could to give as much time as possible for the registration. I have only to say, in conclusion, that whilst the Government are anxious to further registration, and to effect, if possible, that the registration shall be got into operation for the municipal elections by the 1st of November, with sufficient time for good revision—for the work of the overseers being properly done, and for the ministerial work of printing being efficiently carried out—if the objections which have been raised are felt by the majority of the House to be such as to outweigh the good we have thought the Bill would effect, the only alternative will be not to proceed with the measure.

(9.7.) MR. STANSFELD (Halifax): I am glad the Attorney General has spoken to the House, as we were waiting with anxiety for a further statement from the Government in response to the criticisms addressed to them from this side of the House—and addressed to them in no unfriendly spirit. There is no disposition on this side of the House to defeat the Bill. The right hon. Gentleman opposite might put his foot down, and refuse to accept Amendments, but I hope he will take a wiser and more tactical view of the situation. I think it would be possible to modify the Bill so as to meet objections raised on this side of the House; and I gather from what has occurred that the Governments will be ready to give every consideration to our proposals, though reserving to themselves the right not to persevere with the Bill. As to the risk which would be involved in putting the date back from July 15 to June 26th, as at present advised, I think it could be done, not by naming the 24th specifically, but by adopting such phraseology as "up to the 25th" without saying "included," which would give the 24th both to the incoming and the outgoing tenant. I do not think it necessary or desirable to multiply discussions on the details of the Bill, or even on the various inportant points of criticism which have been suggested to the Government and the House. What we were anxious to ascertain was whether the Government would receive, and not repudiate, suggestions in the form of Amendments in Committee coming from this side of the House. I think I do not incorrectly interpret what has fallen from the right hon. Gentleman and from the Attorney General when I say that they are perfectly prepared to go into Committee on the Bill, and then exercise their judgment as to how they should deal with Amendments. Still I think it would be rather premature for the Government to announce what Amendments they will and will not accept. It will be for hon. Members and the Government to exercise their judgment on the different Amendments when they are moved in Committee. The objections to the Bill seem to be these: As the right hon. Gentleman the Member for Bury has pointed out, this Bill will, unless amended, certainly disfranchise certain persons, and the right hon. Gentleman is prepared to move Amendments in Committee to rectify that effect.

*MR. RITCHIE: We shall be willing, if possible, to insert some clause in the Bill which will prevent the disfranchisement pointed out by the right hon. Gentleman the Member for Bury. It has occurred to me, however, that there will be some difficulty in the matter.

MR. STANSFELD: The right hon. Gentleman is quite right in intimating that if possible he will do it, and that if he finds it impossible he will not do it. It is intended to prevent disfranchisement in the Bill if it can be done in the drafting, and we shall be entitled to criticise any Amendment which may be proposed from that point of view. We, of course, reserve our rights as the Government reserve their rights. The next question raised by the right hon. Gentleman the Member for Bury was the question of accelerating appeals. I do not understand the Attorney General to speak positively on that matter, but he is inclined to the opinion, or hope, that a way may be found of meeting that difficulty.

SIR R. WEBSTER: The Courts cannot sit before the 24th October on account of the Long Vacation, but it seems to me that the register could be printed provisionally so as to be completed by the 1st November.

MR. STANSFELD: That seems to me satisfactory as a Second Reading statement, and we shall be within our right in discussing any solution of the difficulty the Government may propose. Another objection taken by the hon. Member for Rugby was as to the revision going into the harvest time. I do not feel myself a competent judge on that subject. I have not at my finger-ends the beginnings and endings of the harvest time, but the matter might be dealt with to suit the seasons of the different counties. I ask the Government to consider all these points in a fair spirit, as we on this side are disposed to do. I do not know whether they will propose to recommit the Bill——

*MR. RITCHIE: No.

MR. STANSFELD: They will table all their Amendments at once?

*MR. RITCHIE: Yes.

Mr. STANSFELD: If that is done we shall be able to look on the Amendments on the hypothesis that they are all to be inserted in the Bill, and shall be able to form an opinion as to whether they are reasonable and satisfactory. I feel quite sure we shall come to agreement, and that the right hon. Gentleman is not inclined to be too severe.

(9.18.) Mr. T. M. HEALY (Longford, N.): I wish to enter a protest against the Bill, on the ground that it will not operate fairly in the case of Ireland. Under this measure, if there is a dissolution on the 1st or 2nd of November, the English people will have the advantage of a new register, whilst the Irish people will have a register ten months stale. Of all the remarkable pieces of forgetfulness that it is possible to imagine on the part of the Government in drawing up a Bill of this kind dealing with "integral" parts of the United Kingdom, this is the worst. In the event of a dissolution taking place in the early part of November, Ireland is be left out in the cold. How are you going to mend this? Of course you will time your dissolution to fill your own sails. You will naturally think of your own people. We cannot shut our eyes to the fact that there are two other partners to this firm, but you have been good enough to forget us. It was all very well before the franchise was extended to treat the two countries, England and Ireland, as not on a parity. Even when the narrow franchise of former days was in force you took good care that the register should start in the month of January in Ireland. With that beautiful Imperial symmetry which you are so fond of talking about and so ready to depart from when it suits your purpose, you have made our Irish Register to synchronise with yours. Now, without rhyme or reason, but simply because it suits your County Councils—we having no County Councils at all—you declare that we may take our chance of a dissolution whenever, for ought I know, it suits the policy of the British East Africa Association and the dukes thereupon. I object *in toto* to this proposal on behalf of both Ireland and Scotland. The Scotch Members do not seem to have roused themselves on this point. The matter is one of very great importance. The General Election of 1886 took place in January and February, and it was, I presume, determined to have it at the time because the registers were fresh. The question of freshness or staleness of a register becomes of enormous importance when dealing with a franchise so extended as is that at present in force. What happens is practically this: in order to have a vote in this present year, a man must have been in occupation since the 20th of July, 1889. consequently all the removable classes are deprived of the franchise and you have all through the country a mass of people whom it is impossible to find at any General Election. We are now nearing a General Election, and it is natural, after having for five years had a Tory Government in office, that we should be somewhat anxious to rid ourselves of such an incubus, and it is equally obvious that Gentlemen opposite should be anxious to retain their salaries as long as they can. The Government bring in this Bill with the most reckless disregard of all the other component parts of the Kingdom to which it will apply. I have put an Amendment on the Paper, the reasonableness anybody but a Tory or a Liberal Unionist would admit. If you are going to appeal to the people they ought to have notice that the appeal is to be made. Why should this House any longer tolerate such dissolutions? The constitution of this Parliament for five or seven years is a matter of sufficient gravity to justify giving the people the advantage of being registered in advance. Why is the House of Commons to be left at the mercy of a Minister who has perhaps just returned from Berlin bringing peace with honour, or has just made a light railway in Ireland, or passed a Special Commission Act, to make a snap appeal to the people upon side issues of that kind? I say solemnly that in this country where you have a seven years' Parliament the least you can do is to have an enumeration of the people beforehand. My Amendment is in this sense. What will be the argument of those who oppose it? Will it be that it will be too much trouble to carry it out? You cannot expect to get your seats without trouble or to get your places without trouble, and I do not think the people will tolerate the notion that they are to be choused out of their right to settle the composition of the House of Commons for want of a better system of registration. The present system is a disgrace to civilization. We hear about the rings in New York, and yet will it be believed that in the United States every citizen has to come up every October or November and swear he is a citizen and entitled to vote? What you insist upon in this country is that a man shall be in possession of his premises practically for two years before he is entitled to vote, and you offer no facilities to the subjects of Her Majesty to assert their rights as citizens, and to make their voices heard. If you have faith in the people, as you say you have, why are you always so anxious that the people should not be registered? It is one thing to tolerate the present system in regard to chance bye-elections, but when you have 670 elections taking place at once, surely the people should have an opportunity of making an examination of conscience before hand, and of getting upon the register. In bringing in this Bill, simply in order I suppose to save a few pounds, you are straining at a gnat and swallowing a camel. If you are so anxious to save a few pounds to the County Council or to the taxpayers, why are you not anxious to expend a few pounds in securing the proper registration of Her Majesty's subjects. What ought your object to be on this question of registration? Ought it not to be to get as many people as possible on the register, to get the proper people on the register, and to see that the voters cast their votes at the proper time. From whom does this proposition come? From the Liberal Unionist Member for Somersetshire (Mr. Hobhouse) who brought on this Bill last year, and had it promptly blocked. I ask what good can come out of Nazareth? Does anyone believe that the hon. Member for Somerset wants to get people put upon the register? That he wants more voters in his constituency? If so, will he vote for my Amendment? My object is to put people upon the register, and I say that before you have a general making up of the minds of the people, such an opportunity as I ask for should be afforded them. That was done by the right hon. Gentleman the Member for Mid Lothian in 1885. We were about to have a dissolution, and we all knew it, because the Redistribution Act had been passed. Well, what was the provision then made? A provision was made to secure that, before the people were asked to vote under the new arrangement, they should have the opportunity of being enumerated and registered. If that was done in 1885, why should it not be done in 1891 or 1892? Is the right hon. Gentleman the Member for Mid Lothian to be the only Minister who is prepared to give the people before they vote the opportunity of registration and enumeration? Why do not the Tory Party do it? I am told that my Amendment will limit the power of dissolution. I do not care whether it will have that effect or not. It provides that if you dissolve in any months except the months of January, February, and March, you must give the people the opportunity of being registered so that you may not shut them out. Why is any person to be shut out who has paid his rents and rates and lived in the constituency long enough to qualify him for a vote? Why is he to be shut out at an important crisis in his country's history, because he was not in occupation on the 20th June or the 1st of July? Is there any magic in the dog-days, because it would seem to be the suggestion of the Tories that you must have a dog-days' date for your registration? What magic is there in the month of July? [*Laughter.*] Oh, I withdraw. An hon. Gentleman opposite reminds me of the battle of the Boyne, though I believe it was the battle of Aughrim that was fought in the month of July, but, barring those eventful dates of Aughrim and Boyne, I see nothing at all magical in the month of July. After all this is a practical question, one on which the fate of the Empire might depend for years to come. You who sit opposite declare that the people are opposed to Home Rule. The Liberal Party say, on the contrary, the people are in favour of Home Rule; but, at any rate, everyone admits that the Home Rule policy is a question of vast importance. I say that full opportunity should be afforded for registration, and that the people of Ireland and Scotland ought not to be left to the chance of a dissolution in November or December, before means had been taken to secure a proper system of registration. I therefore beg to move my Amendment.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "no Bill dealing with the subject of Registration can be satisfactory which does not provide for a special registration of voters prior to a General Election where Parliament is dissolved at a time when the existing Register is more than three months in force,"—(*Mr. T. M. Healy*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. RITCHIE: I am sorry the hon. and learned Gentleman, in making his remarks, has not shown a nearer approach to the tone in which the debate up to this time has been carried on.

MR. T. M. HEALY: It was too low.

*(9.40.) MR. RITCHIE: The hon. and learned Gentleman says it was too low, but at any rate he knew that the change as regarded England had been caused by the large number of voters added to the Municipal Roll for 1888. For my part I confess that I share the idea that amendment is required in the machinery of registration generally, and we should not have touched this question at all without dealing with it in a much more comprehensive way, had it not been that the matter was one of pressing importance, on account of the County Council elections. The circumstances are not the same in Ireland, where there are no County Council elections, as in England. It is not that Ireland is forgotten, but the circumstances are altogether different. The hon. and learned Gentleman finds fault with us for not making some alteration in the time at which the Parliamentary Register in Ireland should come into force. He called attention to this matter the other day, and we promised to consider it, but after all it is a small matter. As I understand, the difference is all a question of a month. I am informed that a serious difficulty might arise in Ireland if the Parliamentary Register there were brought into operation earlier than it is now. The hon. and learned Gentleman has taken up the cudgels on behalf of my poor country, Scotland. If there are no other Members present to defend Scotland I will constitute myself her champion, and say it is an outrageous thing that the people of Scotland should have to elect their members on the old register.

MR. T. M. HEALY: I said I did not know anything about it. I asked a question.

*MR. RITCHIE: Then why does the hon. Gentleman speak about it? If the hon. Gentleman wished to speak on our case in Scotland, I think he ought to have informed himself as to the law. Perhaps he would be surprised to know that the Parliamentary register comes into operation in Scotland now on the 1st of November, so that no alteration as regards Scotland is required. This proposal will bring the English system of registration into harmony with the Scotch. So much for the preliminary observations of the hon. Member.

MR. T. M. HEALY: And Ireland is to be left out in the cold?

*MR. RITCHIE: I told the hon. Gentleman the other day that the Government would make inquiries, and if anything could be done they will try to meet the hon. and learned Gentleman's views. With regard to the Amendment I hardly think it can be seriously proposed by the hon. Gentleman. The Amendment would mean that, in the event of a Vote of Want of Confidence, the Government against their own will should be compelled to remain in Office to conduct the affairs of the country with the House of Commons against them for a period of something like three months. Such a proposition is one that it is almost too absurd for the House of Commons to consider.

MR. MAC INNES (Hexham): The County Councils Association, which comprehends persons of every shade of political opinion, are unanimous in pressing for this measure. Although in very large cities there would be no difficulty in doing the work, it has been proved to the satisfaction of the Association that in many of the rural districts it would be impossible to find people to do it. Therefore, we ought to be grateful to the President of the Local Government Board for introducing a measure which will provide the necessary machinery.

Question put and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 182.)

SECOND READING.

Order for Second Reading read.

(9.49.) SIR R. WEBSTER : Sir, I beg to move the Second Reading of this Bill. The House will remember that two or three years ago the public were somewhat surprised at a decision of the Court of Queen's Bench, which laid down that compulsory absence—if I may use the expression—even for one night, even though the voter was in all other respects qualified, prevented him from being placed on the register. In fact, to take an extreme case, supposing a man to be two nights absent in a Volunteer camp doing Volunteer service in obedience to the orders of his superior officer, he is thereby disqualified. I have received representations from Revising Barristers and others asking me to get the matter put right, and I have the satisfaction of knowing that when the subject was debated during the last two Sessions everybody was prepared to say there was no justification for the existing disqualification. It was then pointed out that there might be other cases of temporary absence whereby a voter would be disqualified by being sent away, and that there was no reason for such a person losing his vote by reason merely of absence in the discharge of duty. Some limit, however, must be adopted, and as four months is the period of absence which disqualifies in the case of ordinary residence, a similar limitation has been introduced into the present measure. Last year objection was taken to the Bill on the ground that I did more than was necessary to cure the evil, by introducing the section relating to police officers. Whatever may be thought as to the desirability of that alteration of the law, this year I have thought it better to do no more than simply cure a mischief which has been largely felt in various parts of the United Kingdom, and therefore I have confined the Bill to the simple provision that a man shall not be disqualified from being registered—

> "By reason only that during part of the qualifying period, not exceeding four months at any one time, he has, in the performance of any duty arising from or incidental to any office, service, or employment held or undertaken by him, been absent from his dwelling-house or lodgings, or not resided in or within the required distance from such county or borough."

I hope the House will consent to the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(9.52.) MR. CAUSTON : This Bill is of a very different character to the last. This is really a Registration Bill, and we have been told by Her Majesty's Government over and over again that they do not like tinkering with registration. No more tinkering Bill has been introduced in this Parliament than the present, with regard to registration. I quite admit that the Bill deals with a grievance, but is it the only grievance in reference to registration? Why should only soldiers, sailors, and petted persons be selected for the purpose of being relieved from a grievance? Why do the Government not deal with the grievances of the lodgers and occupiers? Why do they not do what the learned Solicitor General suggested on the 2nd December, 1889, in the Westminster Town Hall, when he said that—

> "When Parliament had made up its mind as to the particular class of persons who should enjoy the Franchise, it was their duty to see that it was rendered as easy as possible for every individual belonging to that class to obtain and keep the privileges."

Is this Bill intended to carry out the view of the Solicitor General? I hope that a stand will be made against this Bill —not that I object to getting rid of any disqualifications, but because I think we have great reason to complain of the tinkering policy of Her Majesty's Government. We all know that Her Majesty's Government are very much divided on this subject of registration. Almost at the time that the Solicitor General was speaking in Westminster Town Hall, the Chancellor of the Exchequer was speaking at Hull. The right hon. Gentleman the Member for Grimsby was urging the Chancellor of the Exchequer to deal with the subject of registration; but he was told then by the Chancellor of the Exchequer that it would mean a new distribution of political power—one more tinkering with the Constitution. He said—

> "I think we may say for sometime now we may look to the results of past experiments, without attempting once more to pick our Constitution to pieces."

That is what the Chancellor of the Exchequer thinks we shall be doing if we give these men, who, as the Solicitor General says, had the franchise extended to them, the opportunity of having their names on the register. We all know, whether the Conservative Government deals with this question or not, that it is the intention of the Liberal Party to do so at the earliest possible moment, and I hope we shall deal with it in a thoroughly practical way—one man one vote, three months' occupation and six months' register, or something even better than that, and then we shall be carrying out the view which the Solicitor General so earnestly expressed at Westminster. I say we have to deal with the occupiers and the lodgers. It is well-known that if a man moves out of Southwark to Lambeth on the 16th July it takes him two years and five months before he can get a vote. Yet the Government come down and make a proposal to deal with volunteers, militia officers, and so forth; but they have no regard for working men and for those who are just as much entitled to vote as the classes for whom they are pleading now. The original Bill was called "The Electoral Disabilities, Naval, Military, and Police Bill;" this is called "The Electoral Disabilities Removal Bill," which I suppose is to apply to gentlemen's servants and coachmen taken out of town by their masters. I hope that the scope of the Bill is now sufficiently wide to enable us in Committee to deal with other disabilities. Last year, Mr. Speaker, I think you would have ruled the hon. Member out of order who had put down such an Instruction as this which I put down—

> "That it be an Instruction to the Committee that they have power to make provision in the Bill for the removal of the disqualification of occupiers and lodgers by reason of change of their constituency or occupation."

I do not know whether the scope of this Bill is sufficiently wide to enable us to deal with occupiers and lodgers; if it is, we shall have an opportunity of dealing with their grievance—and the Attorney General says he is anxious to do away with their grievances—in Committee. I do not allow the Second Reading to pass without entering my protest against that which is a one-sided and tinkering Bill.

*(10.0.) MR. JEFFREYS (Hants, Basingstoke): I am glad that the Government have thought it right to introduce this Bill; hon. Gentlemen opposite talk about "one man one vote," and all I can say is we shall be very glad to give every qualified man a vote, but a great many—especially soldiers—are now deprived of that right, for although his name appears on the register yet when a soldier is sent on duty—on a flyingcolumn for instance—for two or three weeks he thereby loses his qualification. Coastguardsmen are treated in a like manner, and by going out for their annual training lose their votes. Surely under these circumstances hon. Members opposite will not oppose this Bill which, after all, only does tardy justice to a deserving body of men. It does harm to nobody; it only enables people already on the register to record their votes, and prevents their disqualification through having to perform official duties.

*(10.2.) SIR WALTER FOSTER (Derby, Ilkeston): We on this side of the House have no desire to keep any man off the register, and our chief complaint is that the Attorney General has not taken this favourable opportunity of doing away with many other anomalies in our electoral law. His chief argument in favour of the Bill was that it was only a small measure; well, from time immemorial such an argument has been treated as no argument at all. The hon. Member who has just spoken has complained of the disqualification of soldiers, but surely it is an equal grievance that the service franchise does not apply to County Council, as well as to

Parliamentary elections. County Councils in several parts of the country have petitioned in favour of this extension of the franchise, and surely the anomaly might have been got rid of by this Bill. Again, many of a very deserving class of men seem likely to lose their votes this year. I mean the agricultural labourers, who through the recent severe weather were driven to accept parish relief, through circumstances over which no human being could have control. Again, I say our chief regret is that the Bill is not a larger one, and is confined to doing justice to one class of the community instead of to many, that are also deserving of consideration.

(10.3.) MR. CONYBEARE (Cornwall, Camborne): I cannot agree with the hon. Member for the Basingstoke Division that this Bill does no harm to anybody, although I recognise with satisfaction the pronouncement he has made in favour of the principle "one man one vote." I hope that when the time comes in the not distant future when that principle is embodied in a Bill it will have his active support. Now, I do not at all oppose this measure in so far as it tends to give a man a vote. We want a universal suffrage, therefore any proposal that gives an individual a vote will have our support. But I do desire to point out to the Attorney General that the Bill will inflict a very great hardship on men who have to go away from home in search of work. It will disfranchise a good many miners in my own constituency; and although I have a majority there which I am not afraid will be diminished materially, still I am sure the sense of fair play which the hon. and learned Member possesses will induce him to say that no humble citizen should be disfranchised by inadvertence. In my constituency the miners have to go from one part of the country to another in search of employment, and I think the limitation of four months' absence might very well be extended. May I point out that when these men go away from home to work they keep up their homes in Cornwall and send home their wages for the support of their wives and children, and I therefore think they are entitled to keep their names on the register of voters. Yet by passing this Bill as it stands you will be disfranchising hundreds of them. Cannot the Law Officers of the Crown see their way to modifying this provision, and extend the period from four months to six or nine months. If they do not do so I shall have in Committee to propose an Amendment on that point. I am sure they will recognise it is very unfair to take from one class of men a privilege which they are by the same Bill conferring on another body. I wish they would have the courage to bring in a larger measure, and not to give us reforms in these homœopathic doses. Still we must not, I suppose, look a gift horse in the mouth.

(10.10.) MR. JAMES ROWLANDS (Finsbury, E.): The first thing on which we have to congratulate ourselves is the departure which the Government have taken in this Bill. Those who took part in the Debate upon the last Bill before the House must at least be pleased that they have gained so much by action which was then termed obstruction, for the Government have now seen their way to very materially alter the scope of the Bill, and the measure is not likely to be defeated from this side of the House. I, at any rate, do not intend to oppose it; but I do join with my colleague in protesting against the manner in which its operation has been limited. The Bill itself shows distinctly how much amendment is required in our Registration Laws, and that the Government should have merely proposed to deal with the grievance of only a small section of those who are disqualified under the present system is a matter of very great regret to us. I can quite understand the enthusiasm for this Bill displayed by the hon. Member for the Basingstoke Division—a constituency in which there is a large military vote—but it should be borne in mind that there are many electors who are disqualified from voting by equally unfortunate circumstances. In my own constituency at the present time those who live on one side of a street and who were at the last election qualified to be upon the register, are now unable to vote, not through any default of their own, but simply because the landlord of the houses omitted to pay the rates at the qualifying period. I think the Government ought to deal with a grievance of that nature, and not allow the disqualification of voters for no fault of their own. I hope, indeed, that the Government will seriously consider this matter before the next registration, and see if they cannot bring in a small Bill dealing with that particular grievance. I know there are many other grievances in connection with our registration system. For instance, take the case of a lodger on the register. He finds he is prospering, and is able to take the house in which he had been lodging, but immediately he does so he loses his vote as a lodger, and has to go through the whole probationary period as an occupier before he is qualified to again have his name on the register. Surely that is a small reform which the Government might take in hand, and it is one of many instances of our present ridiculous system. I think that when they are dealing with the matter of registration they might attempt a thorough reform, and not take up the time of the House by a tinkering little Bill like this. If they would only bring in a more comprehensive measure, or give facilities for a private Member to push forward one of the measures which have already been introduced this Session dealing with such matters as successive occupation, I think they might rely upon active support, for they would then be doing justice to deserving classes of the community.

(10.18.) MR. PICTON (Leicester): The hon. Member for Basingstoke will, I think, be reminded pretty frequently hereafter of his declaration in favour of the one man one vote principle. He has, I think, a little understated the true Radical doctrine. That doctrine is not merely one man one vote, but it is every man one vote, and we say that no man ought to be left off the register if he has the least claim to be on it. But if there is any class of men whose claim to a vote is weaker than that of any other, it surely is that class who depend for their daily bread on the favour of Government officials. I do not go so far as to say that soldiers should be left off the register, but I say that their claim is weakened by their acceptance of Government employment. I think we have already a great deal too much official influence in this country, and a good deal might be said in favour of a law which deprived of their votes all who necessarily come under official influence. This Bill is intended to make a very striking exception in favour of one particular class of the population. There are tens of thousands of men subject to disabilities far more unjustifiable than those dealt with in this Bill, but the class now to be relieved comprises simply those who are known to be under Governmental and official influence. They are to be relieved, whilst others are to be left out in the cold. I remember myself that when on being elected a Member of this House I was compelled to change my residence, and I was left off the register for two years, and had no vote simply on account of that enforced change. Now, this disability is inflicted on hundreds and thousands of citizens year after year, and no effort is made by the Government to remedy an anomaly of this kind; but because Tory Members think that their principles are likely to be supported by those who are in the pay of the Government, and by the liveried servants of the rich, this special exemption is made in their favour. Who does not know how rapidly the register changes? In the course of a year probably one-third of a constituency is altered chiefly through changes of residence of the voters. Now we feel that every British citizen who has once been recognised as a voter should retain his right to vote in the future, unless disqualified by disorderly or criminal conduct. My hon. Friend the Member for Camborne has shown how this Bill is likely to affect his constituents, and how desirable it is that they should be relieved. Therefore, although I have considerable hesitation whether I ought to vote for the Bill, I shall support the Second Reading on the ground that I do not like depriving any one of his right to vote. Still, I think every adult man is entitled, as a citizen of the British Empire, to have a vote, and that preference ought not to be given to those specially subject to Governmental and official influence.

*(10.23.) SIR CHARLES RUSSELL (Hackney, S): I see according to the title

of the Bill it is one to remove certain disabilities by reason of absence. Will it at any stage be open to the House to enlarge the scope of the Bill by moving the omission of words "by reason of absence"? I take it that it would not be competent while these words remain in the title to deal with any other disabilities.

*MR. SPEAKER: It would not. The whole scope of the Bill is compulsory absence by reason of duty.

*SIR CHARLES RUSSELL: There is no reference to compulsory absence in the Bill.

*MR. SPEAKER: I think the hon. and learned Member will see that the Bill deals with compulsory absence.

*(10.25.) SIR G. TREVELYAN (Glasgow, Bridgeton): I agree with every word which has been uttered on this side of the House with regard to the shortcomings of this Bill. It is, indeed, a wonderful thing that in this nation, which is supposed to be a model of self-government, there should be at least half a million of people deprived of their votes by a bad system of registration, while half a million of people have a vote which they ought not to possess, and yet the only Bill introduced to remedy the evils of that system is the small Bill before us. Notwithstanding all that has been said against the Bill, with every word of which I agree, we cannot, as Liberals, holding the principles we do, vote against it. We are bound to support the Bill also on the ground that it refers only to genuine inhabitant occupiers, who ought all to have a vote. The Bill ought to go a great deal further than it does, but so far as it goes it is framed on right principles. It is much too partial in its application, but we accept it as part of a larger measure which will assuredly some day become law.

(10.28.) COLONEL HUGHES (Woolwich): I wish to remark, with regard to the protest that this Bill does not go far enough, that the question of successive occupations has been a grievance for 30 or 40 years. For example, a leaseholder buying the reversion of his leasehold and becoming a freeholder has to begin his period of qualification over again, and the same applies to a lodger becoming the householder of the house in which he lodged. But why is the Conservative Party to be attacked for not remedying that state of things when the Liberal Party, having themselves had the opportunity of doing so, took no advantage of that opportunity to give effect to the principles they profess to hold? Over and over again they might have put their professions into practice, but they have never redressed the grievances of which they are now complaining. I therefore do not think they are justified in their present loud complaints.

Question put, and agreed to.

Bill read the third time, and passed.

ARCHDEACONRY OF CORNWALL BILL. [H.L.]—(No. 177.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ritchie.*)

(10.30.) MR. CONYBEARE: I cannot allow the Second Reading of this Bill to pass without a challenge. I do not know whether there are any of my colleagues in the representation of Cornwall present; but I shall certainly be prepared to take a Division upon the Bill unless we receive some explanation of it. From the hesitating way in which the right hon. Gentleman moved the Second Reading, I am inclined to think he does not know much about the Bill, but it is scarcely courteous to the Members of the House that any measure should be moved without a word of explanation. I will read the Preamble to the Bill—

> "Whereas in pursuance of the Truro Chapter Act, 1878, a canonry in the cathedral church of Exeter has been transferred to and forms part of the Truro Chapter Endowment Fund, subject to an annual charge in favour of the Archdeaconry of Cornwall of three hundred and thirty-three pounds six shillings and eightpence, which charge has been since the recent avoidance of the same archdeaconry reduced to two hundred pounds a year."

Although I know something about the political, if not the ecclesiastical, arrangements of Cornwall, I confess I do not quite appreciate the logic of that part of the Preamble. The Preamble goes on—

"And whereas it is expedient that the said sum of two hundred pounds a year, being the future stipend attached to the said archdeaconry, should be paid out of the common fund of the Ecclesiastical Commissioners instead of out of the endowment of the said canonry."

I should like to know why it is expedient? there is no reason alleged. I think, however, I could give a reason why it is expedient. We have a right to know why it is considered that this £200 should be paid out of the Common Fund of the Ecclesiastical Commissioners? What I think is the true reason is that the Cathedral at Truro is what is called in vulgar parlance a white elephant to the Church Party. The building of the Cathedral was commenced some years ago under circumstances which reflected great credit upon the generosity, if not on the common sense, of the members of the Church of England in Cornwall. It was thought it was absolutely necessary, in order to convert the miners of Cornwall from their evil ways, belonging as they do to the Wesleyan persuasion, that a Cathedral should be planted in their midst, and consequently the good people put their hands in their pockets and subscribed a large fund for the purpose of erecting a Cathedral at Truro. Any lovers of Church architecture who have not seen the Truro Cathedral would do well to visit it; it is a fine building, and shows that the art and ability to construct magnificent places of worship is not yet dead in this country. The erection of the Cathedral was placed in the hands of the eminent architect, Mr. Pearson, and Mr. Pearson's original estimate was that the entire building, choir, nave, central tower, and two western towers would cost £95,000. I believe I am right in saying that more than £100,000 has been spent already, and only one-third of the Cathedral is at present erected—that is to say, the choir, central lantern up to the ridge of the roof, and the baptistry are the only parts which have as yet been completed. The foundation stone which was carefully installed by itself in a portion of the vacant ground where the nave is one day to be built has yet to be reached, and now stands as a monument of the improvidence of those who undertook so great a work without setting down and counting the cost. Cornwall is a poor county. The people in the county who belong to the Church are no doubt the richest portion of the community, but they are not the most numerous, and although a great deal of money has been collected outside the county I apprehend that the question of the endowment of this great Cathedral is one of very great difficulty to those who are, and ought to be, the main support of the diocese—namely, the Church inhabitants, residents, landowners, and so on of the County of Cornwall. There has been a great deal of difficulty in getting together enough money for the adornment of the Cathedral itself, and I believe that great difficulty exists to find the £3,000 a year which is necessary to support the different ecclesiastics and others connected with the service of the Church according to the regulation and style of conducting Cathedral Institutions. I have not the slightest doubt that this Bill has been brought in to supplement the efforts of the Church people to raise a sufficient endowment for their ecclesiastics and Cathedral Institution in Cornwall by taking this £200 a year out of what I may say is a public fund for the purpose of allocating it to a particular purpose in this way. Beyond that I do not know that there is a very great deal to be said either for or against the Bill. At first sight it would appear that it is merely a transfer of Church funds from one body of the Ecclesiastical Commissioners to another body; that is to say, the ecclesiastical people connected with the Cathedral Church at Truro. But then comes in this important point: The day will come, no doubt, when we shall be engaged in the work of disestablishing and disendowing the Church of England. It will then be pleaded that this £200 has been given over to the Cathedral Church at Truro in such recent times that it ought to be excluded from the rule which would bring about a general disendowment. I maintain you have in the funds belonging to the Ecclesiastical Commissioners funds which belong to the nation, and which will, when disendowment takes place, come to be used for national purposes, purposes perhaps connected with education and the like. If this transfer takes place it will be competent for the Church Party in Cornwall to say, "This endowment is quite of modern origin; we have been given this money for a specific purpose, and you cannot rightly take it away from us." I do not think there is any other point in regard to which I need trespass longer upon the attention of the House. I must, however, say I hardly think it reflects credit on the Representatives of Cornwall that when a Bill of this kind is brought forward there should be none of them present except the Chairman of the Committee (Mr. Courtney) and myself.

*(10.49.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I think it is very likely the other Representatives of Cornwall are not here this evening because they have had an opportunity of considering this Bill, not only this Session but last Session, when it was in the hands of private Members, and they are quite satisfied that there is no foundation for the fears which have just been expressed by the hon. Member for Camborne. I think that if the hon. Gentleman had taken the trouble to study the Act of 1878, he, too, would have got over his fears. This is simply the transfer of Church property from one diocese to another. It was provided in the Act of 1878 that after the first vacancy in the Archdeaconry of Cornwall the amount to be received by the Archdeacon should be reduced to £200 a year, and it was further provided by the 11th section that the Ecclesiastical Commissioners should not have the power to pay it directly out of the Common Fund. It is most desirable that the payment should be transferred directly to the Ecclesiastical Commissioners. There is not the slightest ground for the supposition that anyone will cite the fact that we have passed this Bill in 1891 as a modern endowment of the Archdeaconry. It is clear upon an examination of the Bill in connection with the Act of 1878 that there is no additional charge at all. It is a mere matter of book-keeping, and I need not inform hon. Members who are looking forward to the time when the funds of the Church may be appropriated to other purposes, there is no form in which those funds can be more easily available than the form in which they lie with the Ecclesiastical Commissioners.

(10.54.) MR. PICTON (Leicester): We have a general objection to Bills of this kind. We think the House ought always to be unwilling to manipulate Church funds except in one case, and that is to appropriate funds entirely to secular purposes. I understand that this £200 is to be paid out of the Common Fund of the Ecclesiastical Commissioners. What is the Common Fund of the Ecclesiastical Commissioners? It is the Socialistic Fund of the Church. I suppose it is employed in helping poor livings, and in relieving poverty-stricken parishes; in levelling up where the state of ecclesiastical funds is considerably below the general average. It is a benevolent fund, intended, so far as it is possible under the circumstances, to do justice. Now, is it fair that this fund should be robbed for such as that of restoring an endowment which was appropriated in the year 1878? I think it is very improper. For all we know some poor living will very likely go without this £200 a year, because the Common Fund of the Ecclesiastical Commissioners will not be able to afford to make a grant on account of this drain upon it. We are continually told by enlightened and superior persons that we are quite wrong in talking about ecclesiastical endowments as national property, that they are the property of certain corporations, whether the corporations are sole or bodies of men. Yes, but the House, by continually encroaching upon the preserves of various corporations—taking money out of the purse of one corporation and handing it to another corporation—shows that in its opinion the money does not belong to the corporations in the same sense as whatever little money I have belongs to me, or whatever estates hon. and right hon. Gentlemen opposite may have belongs to them. The House of Commons would never dream of touching the estates of corporate towns, but the House knows that the estates of the Ecclesiastical Commissioners stand on a different footing. Therefore, though I dislike this Bill for the reasons I have stated, and think it will improperly take away money from a fund that is intended mainly for the poor and give it back to those who are better off, yet I welcome it as an additional illustration of the conviction that is so deeply rooting itself in the hearts and minds not only of Liberal but of Tory legislators that ecclesiastical funds do not belong to these corporations in the sense that property may belong to individuals. I know that legally they do, but there is a moral difference. As I have a strong objection to the Bill, I hope my hon. Friend the Member for Camborne (Mr. Conybeare) will divide against it, and, if he does, I shall certainly support him.

(10.56.) MR. ILLINGWORTH (Bradford, W.): If there were any doubt—I will not say in the minds of legislators, because I cannot conceive that there is a shadow of doubt in their minds, but in the minds of anybody that the property of Ecclesiastical Commissioners is national property—that doubt must now be dispelled. [Sir R. FOWLER: "Oh, oh!"] There is one exception. I do not know that the opinion of the House is likely to be swayed by the prejudices which occupy the mind of the right hon. Gentleman. The Church of Ireland was on every legal ground on all fours with the Church of England. When the Disestablishment of the Church of Ireland took place, how did Parliament proceed? It appointed special Commissioners for the purpose of carrying out the disendowment of that Church. The whole of the revenues of the Irish Church were swept into the coffers of that Commission, and life interests alone were satisfied by the Commissioners. That being so, I do not think we need concern ourselves with the question whether the property of the Ecclesiastical Commissioners is national property. It has been admitted on all sides since these questions came up that tithe is national property. The leader of the House admitted it last Session, and on this side of the House I believe not a single voice is raised to express the contrary opinion. I want to know, however, why the House of Commons should be occupied with trivial legislation of this character. The hon. and learned Solicitor General says it is altogether a question of a single individual. I want to know why the time of the House of Commons should at this moment be engaged in considering the interests of the Archdeacon of Cornwall. Why should the House of Commons be engaged in considering the interests of a single individual and he the Archdeacon of Cornwall? Why is he not contented with the provision made in the previous Act? Why, year after year, are we considering these questions of bookkeeping? The right hon. Gentleman did not give us the facts. Is it to increase the endowment of the Cathedral of Exeter. Is it to return part of the money which, under the Truro Act of 1878, was withdrawn from Exeter and given to this new See? I object to the Bill on the ground indicated by the hon. Member for Camborne. Cornwall is a county of Nonconformists. The people run no risk of relapsing into heathenism, though the Church were to relax all her efforts there. I know it is sometimes a plea put forward in favour of a system of Church Establishment, that if State recognition were withdrawn, our remote agricultural districts would be in danger of relapsing into heathenism. No doubt the hon. Baronet has that fear. Cornwall is another instance of that of which Wales is an eminent example. The Welsh people have made ample provision out of their convictions and their poverty for their modest religious requirements. True, they do not lavish thousands a year on a Cathedral and then come here for an additional £200 for an Archdeacon. I look upon this Bill as a covert insult to the religious people of Cornwall that the House of Commons should be engaged in thrusting upon them the manifestation of a hostile system of religion at the national expense, with all the pride and hauteur the system involves. The Government, it is well known, cannot get through its important business, and is obliged to take the time of private Members, and yet it turns aside from the business of Supply to make itself responsible for this frivolous proceeding. I think we ought to indicate to the dignitaries of the Church of England—for all these schemes come from another place—there is a mint royal for their manufacture. I think that whenever these frivolous Bills come before us we ought to say to the Church of England as a Religious Body that it ought to take the management of its affairs under its own control—not coming to the House of Commons for all these modifications, making the House of Commons responsible for these enactments, and the losses Religious Institutions must suffer because, forsooth, it prefers to be under the control of a foreign body rather than take in hand the management of its own affairs. I hope that a protest could be made on every occasion when such measures come before Parliament. There ought to be shown that there is in this House a growing determination to bring to a speedy end this state of things, and to bring about a change by which the Church of England shall manage its own affairs. I hope that in the Division we shall show an unanimity of feeling on this side of the House. I am sure the right hon. Gentleman the Chairman of Committees does not wish the House of Commons to be occupied with this trumpery business. I do not think he will be singular, but will show himself to be a true Representative of the people in his own division of Cornwall, and that there is but one feeling on the part of the people of that county—a feeling of protest against that which is rather more nor less than a sham institution in their midst.

*(11.8.) MR. H. BYRON REED (Bradford, E.): It is somewhat puzzling to know why the exception taken to this harmless necessary Bill by my hon. colleague opposite should lead up to a violent diatribe delivered by the hon. Gentleman against the Church of England generally, and in Cornwall in particular. The Bill provides for a redistribution of certain Church revenues in the See of Truro, and without it the redistribution cannot take place. We have long been aware of the strong views of my hon. Friend on Church matters, but this is a matter of simple conformity with the law of the land. The Bill has no opposition from Nonconformists in Cornwall, who, indeed, have nothing whatever to do with the matter. It is a necessary measure for the redistribution of Church Funds, and hon. Gentlemen opposite incur great responsibility by obstructing a piece of Church reform—for purposes which I will not specify, but which the House will understand. I support the Bill not only as a Churchman [MR. CONYBEARE: "Church lecturer." *Cries of* "Order!"] but also because any measure of redistribution has to come under the criticism of Parliament. I believe that the Bill is acceptable to the people of Cornwall—Nonconformists as well as Churchmen—and it is in their interests that the measure has been introduced.

*(11.10.) SIR G. TREVELYAN (Glasgow, Bridgeton): We on this side of the House are quite willing to incur the responsibility of spending a certain time in the criticism of a measure to which the Government have thought it well to devote a very solid portion of an evening so early in the Session. More especially I think Scotch Members may say a word or two, for we cannot but reflect on the extent to which we have been sacrificed in this matter. It was in the course of the week that the first popular matter in relation to Scotland this Session was going to be brought forward when that evening was taken from us by the Government it was said for the Tithes Bill, but it turns out that of two Government evenings a considerable part of one is devoted to this measure. What is this measure? It is to give £200 a year from the general fund of the Church of England to a specific purpose. It is public money devoted to a public purpose. And to what purpose?

MR. H. BYRON REED: A Church of England purpose.

*SIR G. TREVELYAN: Yes, I am speaking according to the law as it exists at present. I am not bound to express my opinions on every occasion as to what purposes public property ought to be devoted. The hon. Member who has a great interest, a lively interest in this subject—I speak with all respect and not satirically—agrees with me in that. We are told that this is Church property, but it is property of which this House is bound to see to the distribution. The proposal is to give £200 a year from the general fund of the Church of England, which is intended to be applied to the augmentation of poor livings, for the purposes of ostentation and show in a district where there is an enormous preponderance of Dissenters, to swell the endowment of the Dean and Chapter and the diocesan central arrangements in a new diocese. Now I just want right hon. Gentlemen to think what they are doing. In this country the rents of great districts may be paid into the hands of one person, and this man has a great responsibility in the manner in which he uses those rents. He is bound to provide for the education of the district. I will go further and say the landowner has no right to devote the rents of a great district of this kind to the exclusive endowment of a religion which is not professed by the great majority of the inhabitants. If that is not the case in Cornwall I do not know where it is. But, unfortunately, the diversion of great reserve funds of this kind is not for the practical purposes of religion, but for swelling the ostentatious and showy part of the Establishment. A bishopric cannot be founded unless the Bishop receives £3,500 a year, while in the august Church of France—[*Cries of* "Order!"] I am not aware that I am in any way out of order.

*Mr. J. G. TALBOT: I was not suggesting that the right hon. Gentleman was not in order in what he was saying, but he was addressing hon. Gentlemen behind him, instead of addressing the Chair.

*Sir G. TREVELYAN: To please the hon. Gentleman I will look hard at him. In the august Church of France a Bishop is endowed with £1,000 a year; but in the Church of England you cannot have a principal clergyman to look after other clergymen without endowing him to the extent of £3,500 a year, an income equal to that of a large landed proprietor. You encourage in every possible way those people who have the wealth of the country, where, perhaps, the enormous majority of the people are Dissenters. You encourage them to provide the enormous capital sum to provide this income, but likewise to provide the Bishop with a house, with a committee of ladies to furnish it according to the latest style. In fact, the money which ought to go to the real interests of the Church in the district is devoted to religious ostentation and extravagance. I do not think that such a course is likely to add to the general popularity or the efficacy of the Church. This poor sum of £200 a year should be left in the hands of the Ecclesiastical Commissioners for the real purposes of the Church.

*(11.17.) Sir R. FOWLER (London) It is ungracious on the part of the right hon. Baronet to complain of the course the Government have taken this week. May I remind the right hon. Baronet that if the Government had not forced the Tithe Bill through its remaining stage this week the right hon. Gentleman opposite would not be able to bring forward his Motion with regard to Ireland next Monday. The hon. Member for Bradford, of course, is an enemy of the Church of England, and therefore we can understand his action.

Mr. ILLINGWORTH: I wish it to be understood that I am no enemy of the Church of England as a religious institution, but that I object to it as a privileged institution. I have not the slightest hostility to the Church, and the Church suffers more from her friends than from me.

*Sir R. FOWLER: I accept the hon. Gentleman's explanation. What I wished more particularly to say is this: that at the General Election of 1868, when ecclesiastical questions, and particularly the question of the Irish Church, were prominently before the country, I was returned by a Cornish constituency to oppose the Disestablishment of the Irish Church. That shows that the people of Cornwall are not so much opposed to the Established Church as hon. Members opposite would have the House believe. I know a very large proportion of the people of Cornwall are Wesleyans. I do not know that they can be called Nonconformists. John Wesley did not, I think, call himself a Nonconformist. However, this Bill has simply to do with the distribution of Church property, and I hope no other matters will be imported into the discussion to delay the Second Reading.

*(11.23.) Mr. MORTON (Peterborough): I oppose the Bill because I object to money being taken from the Church funds for the purposes here contemplated. There are numbers of churches which cannot get any money from the Common Fund; they are told there is no money to spare. If the Ecclesiastical Commissioners can afford £200 a year to go to a rich Cathedral and a nearly useless office, it is utterly wrong that Churchmen should have to go about to Public Bodies like the Common Council of the City, begging

for money to enable them to carry on services in the various parishes. I certainly am no enemy to the Church. As a voluntary worker I have rendered her some assistance, and I oppose the Bill in the interest of the Church.

*(11.25.) MR. C. T. DYKE ACLAND (Cornwall, Launceston): I know Cornwall well, and am able to say that Truro Cathedral is not a rich Cathedral, but, on the contrary, is probably the poorest in England. It has been contributed to by Nonconformists in the noblest way, and they are proud of the edifice, and with reason. The services in Truro Cathedral are carried on with great difficulty, and this is simply a restoration of £200 a year out of £3,000 or £4,000 Cornwall contributes to the general fund. I admit that the Church of England may have no title to take up the time of the House; but so long as there is an Established Church, that Church must have this authority from Parliament. This Bill has absolutely no reference to Disestablishment, but I admit that by Disestablishment the Church might be freer and more able to do her work in the land; but so long as she is established she must come to the House for authority for what is required to be done, and she has a fair claim to come to Parliament in the present case. For that reason I cannot refuse to vote for the Second Reading.

(11.28.) MR. PHILIPPS (Lanark, Mid): Those who are not specially interested in the maintenance of the Established Church can hardly be expected to be influenced by the arguments advanced by the hon. Member who has just sat down, and, for my part, I protest against the Church of England having further public time allotted to it this Session. Having regard to the time which has been spent on the Tithe Bill, those who are not specially interested in the Church of England have now some claim to the attention of the House. This House, after all, has no control over the actions of the Church of England, and while we have no control over their actions, it is rather hard that they should usurp so much of our time and attention. Hon. Gentlemen opposite who are most devoted to the interests of the Established Church will admit that regrettable incidents take place from time to time — such as those which occur in regard to burials—in which the conduct of individual ministers is reprehensible. These things ought to come under the authority of Parliament or of some public official. So long as we have these burial scandals without public control it is hard that the Church should take up so much time and attention. Why I protest so strongly to-day is because I have heard that a deputation of miners has interviewed the First Lord of the Treasury to ask that special facilities may be given for the discussion of the eight hours question. The right hon. Gentleman was unable to give any definite promise in respect to a matter which interests hundreds of thousands of people, but he can put a little Bill like this before the House in a prominent place on the Orders. This seems to me a scandalous state of things, and I hope that some of us will take care that it is made known to the miners throughout the country. [*Laughter.*] A Member of the Government laughs, but I challenge him to rise in his place and tell the miners why no time is to be found for their business, whilst time is found for a miserable little Church Bill like this. The Members of the Government seem somewhat subdued just now in face of the result of the Northampton election. A Midland borough has just returned an opponent of theirs by a larger majority than has ever been known there before.

An hon. MEMBER: On the eight hours question.

MR. PHILIPPS: Both candidates——

*MR. SPEAKER: Order, order! This has nothing to do with the question before the House. I must ask the hon. Member to confine himself to the Bill on which, as yet, he has not even touched.

MR. PHILIPPS: I only ask some Member of the Government to get up and give the House some reason why this Bill should be regarded of such importance as to be put before the question of the hours of labour in mines.

*(11.36.) MR. F. S. POWELL (Wigan): I must say I was surprised to hear the

observations of the hon. Member who has just sat down, for, unless I am very much mistaken, he, like myself, is the son of a clergyman. What I learnt in early days, and what I have seen and heard of late years, has led me to form very different conclusions from those to which the hon. Member has unfortunately been driven. I do not think it it fair to blame the Government for the Debate that has taken place. I was not aware, until I heard the speech of the hon. Member, that his speech was inspired by the Government; but as to the business of the House being diverted from secular matters to the Church of England, the Statute Book will show that more Public General Acts were passed in this House relating to the Nonconformist Bodies last year than relating to the Church of England. Several Acts were passed affecting Nonconformists; but, so far as I know, not one Act was passed affecting the Church of England. Hon. Members seem to forget that the establishment of Truro Cathedral was entirely due to voluntary contributions. All that is now proposed is that a paltry annuity of £200 should be secured in order to give more completeness to the Cathedral services. Every one of the Sees recently created has been established on a fund of £100,000 or thereabouts, voluntarily subscribed. That occurred within the range of my own knowledge and observation in the case of Wakefield and Liverpool; it is therefore clear that these endowments are popular. I hope the House will read the Bill a second time.

(11.38.) MR. CRAIG (Newcastle-upon-Tyne): I should like to ask the Solicitor General as to Section 11 of the Act of 1878, which imposes restrictions on the Ecclesiastical Commissioners, and declares that they shall not endow the Canonries of Truro. Is the object of this Bill to repeal that section, declaring, as it does, that this £200 shall be paid out of the Common Fund of the Commissioners?

*(11.38.) SIR E. CLARKE: Section 11 sets forth that nothing in the Act should authorise the Ecclesiastical Commissioners to apply any portion of their Common Fund towards the endowment of the Dean and Chapter of Truro. But endowments could be paid out of the Canonries of Exeter, and the object of the Bill is to enable this endowment to be paid out of the Common Fund, instead of the Canonries of Exeter.

(11.42.) The House divided:—Ayes 125; Noes 60.—(Div. List, No. 57.)

Bill read a second time, and committed for Monday next.

BUSINESS OF THE HOUSE.

(11.55.) Order to go into Committee on the Civil Service Estimates read.

(11.55.) MR. SHAW LEFEVRE (Bradford, Central): May I ask when it is proposed to take Supply? The whole of the Estimates are not yet before the House. Supply appears on the Paper to-day for the first time as the fifth Order. To assign it such a place on the first occasion of its appearance is most unusual. The usual practice is to put it down as the first Order, so that when the Estimates are first submitted hon. Members may have the opportunity of raising questions on going into Committee.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): If Supply had not been put down on the Paper the Government would have been blamed if the House should have found at about 10 o'clock that the other Government Business was exhausted. It is therefore necessary to put it down. The Government propose to take Supply to-morrow. It would be highly inconvenient to wait until the whole of the Estimates are prepared before taking Supply.

(11.56.) MR. H. H. FOWLER (Wolverhampton, E.): Are the Supplementary Estimates to be taken before the Estimates for the present year? I shall be astonished to hear that Estimates have ever before been presented in the fragmentary way in which they have appeared this year. We know that there is to be a Supplementary Estimate relating to the relief works in Ireland. Do the Government propose to go into Committee of Supply on the ordinary Civil Service Estimates for next year before they bring forward the Supplementary

Estimates to meet the financial exigencies of this year?

(11.57.) MR. JACKSON: The Government will be following the usual practice in going on with the Estimates for next year even before proposing the Supplementary Estimates for this year. It is very desirable to present reliable Estimates. The Government, therefore, have thought it right to postpone the Estimate of the expenditure for the relief of distress in Ireland, as they cannot yet tell accurately what the expenditure will be. It is impossible to say how much will be spent by March 31, as we have no certain data to go upon.

(11.58.) MR. SHAW LEFEVRE: I wish to propose an Amendment to the Motion for going into Committee of Supply on the Civil Service Estimates, when that Motion is put for the first time. If Supply is taken to-morrow, I fear that I shall be prevented from moving my Amendment, as the Resolutions of which notice have been given will have priority. It has hitherto always been the custom to put down the Civil Service Estimates for the first time on a Monday or Thursday.

(11.59.) MR. H. H. FOWLER: As the Government do not seem disposed to answer me I put my question to you, Sir. The first question to-morrow will be that you do leave the Chair. I wish to know whether when the Resolutions of which notice has been given as Amendments to the Motion that "Mr. Speaker do leave the Chair" shall have been disposed of, the Speaker will again put the Motion before leaving the Chair?

*MR. SPEAKER: In the circumstances, the right hon. Member for Bradford would not be precluded from moving a Resolution.

(11.59.) MR. SHAW LEFEVRE: I beg to give notice that on going into Committee of Supply on the Civil Service Estimates I will call attention to the subject of glebe lands and move a Resolution.

(12.0.) MR. JACKSON: I can assure the right hon. Gentleman that there is no desire on the part of the Government to prevent him from taking the course which he wishes to take. I will consult my colleagues as to the course which will be taken to-morrow.

MR. CONYBEARE (Cornwall, Camborne): May I ask whether Supplementary Estimates are to be presented in connection with any other matter than the relief of Irish distress?

MR. JACKSON: I cannot speak positively on the point.

Supply deferred till to-morrow.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 9.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report progress; to sit again upon Wednesday, 3rd June.

TRADING (REGISTRATION) BILL.

(No. 183.)

SECOND READING.

Order for Second Reading read.

(12.5.) MR. A. O'CONNOR (Donegal, E.): I understand that the hon. Member for Islington, who has a similar Bill on the Paper to this, was informed by the President of the Board of Trade that as soon as the Bill was read a second time the right hon. Gentleman would consent to its being referred to a Select Committee. What I wish to know is whether if this Bill is read a second time, the right hon. Gentleman will consent to its reference to the same Committee?

*(12.6.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have no objection myself to refer this Bill, if read a second time, together with the Bill of the hon. Member for Islington, to a Select Committee; but I think the House ought to be informed that these Bills propose to inflict a penalty upon those firms which do not register their names, and that may be rather a serious interference with trade. I am not prepared to assent to the Second Reading of this Bill until the House has first assented to the Second Reading of the Bill of the hon. Member for Islington.

Second Reading deferred till Monday next.

FALSE MARKING PREVENTION (No. 2) BILL.—(No. 187.)

Second Reading deferred from Monday till Friday next.

MOTIONS.

RAILWAY AND CANAL TRAFFIC ACTS AMENDMENT BILL.

On Motion of Mr. King, Bill to vary and extend the provisions of "The Railway and Canal Traffic Act, 1854," and of the Railway and Canal Traffic Acts, 1873 and 1888, ordered to be brought in by Mr. King, Mr. Kimber, Sir Roper Lethbridge, Sir William Plowden, Mr. Edmund Robertson, and Mr. H. S. Wright.

Bill presented, and read first time. [Bill 212.]

RAILWAYS (BOARD OF TRADE ORDERS).

Return ordered "of Orders made by the Board of Trade under 'The Regulation of Railways Act, 1889.'"—(*Mr. Channing.*)

RAILWAY SERVANTS.

*(12.9.) **Mr. CHANNING** (Northampton, E.): I should like to ask the right hon. Gentleman whether he is prepared to accept the Return in the form in which I move it, in order to give the Select Committee the data on which the Railway Servants found their case for a 10 hours' day. Will the right hon. Gentleman consent to the Return with any modifications that may be thought desirable?

Motion made, and Question proposed,—

"That there be laid before this House a Return of weekly paid Servants of Railways of the United Kingdom, who were on duty during the month of September, 1890, for more than ten hours at a time, or who, after being on duty for more than ten hours, were allowed to resume work with less than eight hours' rest. and of the average rates of wages of each grade of such servants, to be furnished by each Company separately in the subjoined form:—

Class of Servant	Total number of each class in the employment of the Company.	Average hours of regular daily duty.	Number of Servants regularly on duty more than ten hours per day.	Number of instances in which ten hours has been exceeded.	Per-centage of number employed	Number of instances of such duty exceeding ten hours by—								Number of instances of duty being resumed after rest of—							Rate of wages per week.	After what number of hours is overtime paid?	At what rate in excess of ordinary time is overtime paid?
						One hour.	Two hours.	Three hours.	Four hours.	Five hours.	Six hours.	Seven hours.	Eight hours.	One hour.	Two hours.	Three hours.	Four hours.	Five hours.	Six hours.	Seven hours.			
Station Masters																							
Engine Drivers																							
Firemen ...																							
Goods Guards and Brakesmen																							
Shunters																							
Inspectors																							
Passenger Guards																							
Porters																							
Permanent-waymen																							
Pointsmen																							
Signalmen																							
Ticket Collectors																							

—(*Mr. Channing.*)

*(12.10.) SIR M. HICKS BEACH: The Returns have been made since 1888 in a certain form, and I propose to present to the House shortly further Returns for November, 1890, in the old form, adding the two last columns of the hon. Member's form with regard to overtime. I do not think it would be advisable to grant the Return in the form in which the hon. Member has moved it. It relates to certain classes of servants whose employment has nothing whatever to do with the safety of the public, and would raise new issues altogether in this matter. If, when the Committee has been appointed, it should desire information with regard to work over 10 hours a day, then I should be perfectly willing to call upon the Railway Companies to furnish it. So far, Parliament has only asked for Returns over 12 hours a day. Therefore, I cannot agree at present to the form of the hon. Member.

*MR. CHANNING: These Returns take a long time in preparation, and several weeks will be lost if they are not proceeded with at once.

*SIR M. HICKS BEACH: There is plenty of time.

*MR. CHANNING: I beg leave to withdraw my Motion.

Motion, by leave, withdrawn

TRUSTEE SAVINGS BANKS.

Return ordered—

"In the following form, from each Trustee Savings Bank in the United Kingdom, showing the whole of the transactions which took place in the year ended the 20th day of November 1890, so far as regards moneys placed in the hands of the Trustees of such Savings Banks for investment other than with the Commissioners for the Reduction of the National Debt, pursuant to the 16th section of the Act, 26 and 27 Vic. c. 87; also showing, at the 20th day of November 1890, the liability of the Trustoes of such Savings Banks to Depositors in respect of moneys received for investment pursuant to the said 16th section of the Act 26 and 27 Vic. c, 87, and the nature and amount, in detail, of all assets, including the reserve fund (if any) held to meet the same:—

Return of Transactions pursuant to the 16th section of the Act 26 and 27 Vic. c. 87 and the Rule of the Savings Bank.

Dr.

	Sums Received.		
	£.	s.	d.
Uninvested Balance in hands of the Treasurer at 20th November 1889			
Sums received from Depositors for Investment in the year ended 20th November 1890			
Interest received from Investments in the year ended 20th November 1890			
Sums received for Securities Sold or Paid off in the year ended 20th November 1890, viz.:—			

	Amount	Nature of Security	Sums Received
for	£		
	£		
	£		
	£		
	£		

Other Receipts (in detail)			

Cr.

	Sums Paid.		
	£	*s.*	*d.*
Sums paid to Depositors in respect of Investments in year ended 20th November 1890			
Sums paid to Depositors for Interest on Investments in year ended 20th November 1890			
Sums paid for Management			
Sums paid for Commission on Purchases and Sales of Securities, year ended 20th November 1890			
Sums paid for Securities Bought in the year ended 20th November 1890, viz.:—			

	Amount	Nature of Security	Sums Paid
for	£		
	£		
	£		
	£		
	£		

Uninvested Balance in the hands of the Treasurer at the 20th November 1890			
£			

Liability to Depositors at the 20th day of November 1890, in respect of Moneys received for Investment pursuant to the 16th Section of the Act 26 and 27 Vic. c. 87 .. .. £

Nature and Amount, in detail, of all Assets, including the Reserve Fund (if any) held to meet above Liability to Depositors, pursuant to the 16 Section of the Act 26 and 27 Vic. c. 87 :—

Nature of Assets.	Amount of Assets.
	£
	£
	£
	£
	£
Uninvested Balance in Treasurer's Hands	
£	

We do hereby certify that the aforegoing is a true account.

Witness our hands this day of 189 .

——————} Two Trustees (or) Two Managers (or) a Trustee and a Manager of the said Savings Bank.
——————}

Witness —————— {Secretary or Actuary.

(in continuation of Parliamentary Paper, No. 51, of Session 1890.)"—(*Mr. Jackson.*)

Copy *presented* accordingly; to lie upon the Table, and to be *printed.* [No. 94.]

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Friday, 13th February, 1891.

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL [H.L.]—(No. 33.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I find that by some inadvertence the Bill which I proposed to read a second time to-day has not been printed. One might have supposed that during the interval which has elapsed since the Bill was last before the House, namely, Monday last, and handed in in a printed form, it would have been in readiness, but that seems not to be so. Without the prints I do not think it would be right of me to take it, as it has been slightly altered since it was before your Lordships last year. I will, therefore, defer it to Monday.

THE LORD CHANCELLOR: I cannot help saying that complaints have been constantly made of delays in printing. On the last occasion, I thought it right to send to the persons whom I thought responsible for them, and a reply was received that the delay would not occur again, but it seems to be the old story. I am sorry that the negligence should have recurred.

Second Reading put off to Monday next.

TITHE RENT-CHARGE RECOVERY BILL.

Brought from the Commons; read 1ª; to be printed, and to be read 2ª on Thursday next.—(*The Marquess of Salisbury.*) (No. 38.)

BRITISH SOUTH AFRICA.

QUESTION—OBSERVATIONS.

LORD HERSCHELL: I beg to ask the noble Marquess the Secretary of State for Foreign Affairs whether Her Majesty's Government are taking measures to protect the interests of English companies who were working in Manica at the time the British South Africa Company's agents entered Manica, and who held contracts from the Mozambique Company granted before the Chartered Company came into existence, and whether Her Majesty's Government will undertake that in any settlement of the question which may be arrived at the rights and privileges acquired by those companies under such contracts shall be preserved to them?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I think that there is in this matter a slight confusion, which, I am sure, is not shared by the noble and learned Lord opposite, between private right and sovereignty. All that Her Majesty's Government have to do with is sovereignty—the questions between themselves and other Powers. Private rights endure whatever the sovereignty may be. If over a particular territory England should be decided to have influence, or Portugal should be decided to have influence, the rights, duly and properly acquired, in other persons will be held just as sacred in the one case as in the other. The answer I should prefer to give to the noble and learned Lord is, that nothing Her Majesty's Government will do will interfere with the private rights duly acquired by either individuals or companies.

LONDON STREETS.

*LORD DE ROS, in rising to call attention to the condition of the streets of London during the recent severe weather, said: My Lords, I think it will hardly be necessary for me to apologise for bringing forward the notice which stands in my name on the Paper, because I think it is a subject of interest to all classes in the community, from the highest down to that very useful individual, the crossing-sweeper. The winter we have just passed through has, I think, most amply illustrated the extremely dangerous condition of the streets of London, more especially during frosty weather. Everybody who has moved about London during the last two or three months must have witnessed the frightful sufferings of the unfortunate horses in consequence of the slippery and unsatisfactory condition of the streets. Severe accidents have happened, and several of them have been fatal. Now, all this cruelty and loss has been occasioned by the inability of most of the Vestries to keep the streets in a proper condition during the very changeable climate which we are subject to in this country. First of all, we had the snow; then we had frost, then a thaw, then snow and frost again; and so it went on alternately. It certainly was very severe weather altogether; but, still, I maintain that the Vestries ought to have been prepared for all those contingencies. The snow ought to have been taken away in the first instance; instead of which it was left to get into a hard mass, and could only be removed with the greatest difficulty; indeed, I saw men with pickaxes working it away from the gutters in the streets. Where it was not so cleared away it was swept from the centre down to the sides of the street; it was there left in heaps, and those heaps, becoming frozen, were extremely dangerous. Then when the thaw arrived they became soft sloughs, and one could not drive up to a shop or dwelling-house without plunging the horses knee-deep into a combination of snow and slush, which, of course, was very injurious to the horses' feet. Direct loss, too, was sustained by tradesmen in consequence. I happened to be in a large establishment in Regent Street about three weeks ago, and, perceiving that part of the street was very slippery, and upon asking the manager whether the business had been affected in consequence during the severe frost, he told me that the coachman of one of his best customers had positively refused to drive to the shop on account of the slippery state of the street; and as the coachman discovered that another street, where a rival establishment was to be found, was in a much better condition, much to their disgust the customer was driven there. Such a state of things is, of course, a great injury to business. About two years ago the Horse Accident Prevention Society was formed, having at its head Mr. Burdett-Coutts, the Duke of Portland and other influential persons patronizing it. On the Committee there are representatives of nearly all the large horse owners in London, the great carrying firms, the Omnibus Companies, and so on. I may say that the Society has no connection whatever with any of the Paving Companies, or horse-shoe inventors, or anything of that kind. It is solely actuated by a desire to endeavour to get the authorities to keep the streets in proper condition for the horse traffic under the varying conditions of weather to which, in this climate, we are subject. One of the first things they did was to issue a circular to all the drivers in the employ of the London General Omnibus Company, the London Road Car Company, Messrs. Carter, Paterson, & Co., and Messrs. Tilling, asking which form of roadway they considered the best and which the worst to drive over. The answers showed that 750 of the men considered wood the best, 219 macadam, 197 granite cubes, and 51 asphalte. On the other hand, 122 men considered wood the worst, 1 macadam, 13 granite cubes, 1,045 asphalte. In view of this decided preponderance of opinion in favour of wood, the Society had impressed upon Local Authorities the necessity of putting down wood pavement in preference to asphalte wherever new streets were being laid or existing streets required to be repaired. In many instances these efforts have been crowned with success. What is wanted, however, is uniformity. If there were a uniform pavement, a uniform shoe could be adopted to suit the pavement. At present there are four different kinds of pavement in use, and one great source of danger lies in the sudden passing from one kind to the other. I have received a letter from the Secretary of the United Cab Proprietors' Association, who is also a member of the Vestry of St. Pancras, which shows the patchwork condition of some of our main roads. He says—

> "I desire to call your attention to that portion of the omnibus route which lies between King's Cross and Russell Square, a distance of about half a mile. Starting from King's Cross, the paving is as follows:—Euston Road, partly granite, partly wood; Judd Street, wood; Hunter Street,' asphalte, then wood, then asphalte again; Brunswick Square, macadam; Grenville Street, granite; Guildford Street, partly wood, partly asphalte; Russell Square, asphalte. The above-named streets are under the control of the Vestry of St. Pancras and the St. Giles's Board of Works. Both bodies have different opinions as to which is the best kind of silent paving—St. Pancras stands by wood, and the St. Giles's Board of Works asphalte. An attempt was made to arrive at a common agreement respecting the silent paving of Guildford Street, which is in both parishes; but the negotiations fell through, each authority laying its own kind of paving.

With regard to Brunswick Square, which is in the two parishes named, information has just reached me that the St. Giles's Board of Works have agreed to the views of St. Pancras, and I have no doubt that shortly wood paving will be laid down."

As I have said, one of the greatest sources of danger is the constant transition from one kind of pavement to the other, and there, again, uniformity is what is principally required. I must say, as a rule, most of the Vestries have been quite willing to listen to suggestions coming to them from without, but others have been quite indifferent, and have proved themselves totally incapable of grappling with the difficult questions which arose during that severe frosty time. I feel certain that unless there is one uniform pavement, with a uniform system of cleaning and sanding the streets, the frightful accidents and the distress to horses will be of frequent occurrence every winter. The County Council has been approached, I believe, but without success. I do not wish to weary your Lordships with the different letters, communications, and suggestions which have come to me in reference to the condition of the streets. The newspapers were teeming with them all through the winter, and particularly with regard to the non-removal of the snow, which, I know, has been one of the most serious difficulties the Vestries have had to contend with. I am sure, nevertheless, that humanely, socially, and commercially speaking this question is of the very greatest importance, and I wish to ask whether it would be possible to establish one distinct uniform authority for regulating the paving and keeping the streets in proper condition ?

The Earl of MEATH : My Lords, before Her Majesty's Government answer the question, I hope your Lordships will permit me, as a member of the London County Council, to thank the noble Lord for having brought forward the subject to-day. At the same time, I should like to make it perfectly clear to him, as I am sure it is to most of your Lordships, that the London County Council have nothing whatever to do with the matter. The noble Lord said the London County Council had been approached in regard to it, but without success. I was not aware of it; but if they have been applied to and without success, it is, as I say, owing to the fact that the London County Council have no power whatever over the streets. There are only certain portions of London which are under the control of the London County Council—very small portions, such as the Victoria Embankment; the rest are entirely subject to the Vestries, and the London County Council has no power over those Vestries. I hope that one result of the discussion to-day will be to encourage Her Majesty's Government to bring forward the long-promised Bill for forming District Councils, which, I hope, will be placed in some degree under the control of a central body—the London County Council. Until some legislation is passed in this direction your Lordships may be perfectly certain that there will be no improvement whatever in the state of the streets of this Metropolis. It is a marvel to me that it is as good as it is, when we consider that the Metropolitan District, extending 12 miles from north to south and 17 miles from east to west, is under the control of 39 distinct local governments, governments which I believe have hardly been altered in their form since the time of the Heptarchy, which are formed on an ecclesiastical basis and possess a semi-ecclesiastical constitution. I am more or less a Conservative; still, I think it is carrying Conservative principles a little too far to expect that the largest Metropolis in the world should continue to be governed upon such a system. I entirely endorse all the noble Lord has said with regard to the disgraceful state of the London streets, not only during this winter but every winter, and it is a marvel to me that more accidents do not take place. With regard to the paving of the streets, the noble Lord has told you that wood pavement has been voted the best by the drivers of omnibuses and other vehicles; but unless wood pavement is taken care of, unless it is cleansed constantly and care taken to keep it in proper order, it becomes just as bad as asphalte. As a matter of fact, the wood pavement in the Metropolis is at this moment just like ice, and I doubt very much whether there is much difference between the two as regards danger not only to horses, but to pedestrians crossing the streets. I only hope that this discussion will tend to some practical result

Some of the Vestries, no doubt, are excellent and useful bodies, but I must say that I do not think the public in general are satisfied with the way in which the majority of the London Vestries are carrying on their work. When we consider what are the constitutions of these Vestries, when we take into consideration the class of men who get into them, when we know how little interest is taken by the public in the Vestry elections, it is a marvel that the management of the Metropolis is carried on as well as it is. There is another point which I do not think the noble Lord drew attention to, and that is, that at the present moment it is almost impossible for any individual who has not studied the question to understand who is responsible for any particular street. Unless we can bring responsibility home to some one body or individual, we know that work is very badly done, and even when we get to know the particular Vestry that is in fault it is a very difficult thing, indeed, to bring any pressure to bear upon that Vestry for which it will care. Public opinion it does not care for very much, from the simple fact that the public will not take an interest in the elections, and will not vote. The members of these Vestries know that though, perhaps, there may be a little excitement raised against them for some particular thing they have done, in the long run it is always some two dozen persons or so who elect the Vestry, and if they can only retain the favour of those two dozen they will be returned. Before we can hope to have our Metropolis put in proper order there must be some central body constituted responsible to the public, and I hope Her Majesty's Government will do something to establish such a central body; for although they have given the London County Council very great powers, they have not—and very justly, I think—given them at once the full powers which they intend to give them. I hope, therefore, Her Majesty's Government will bring forward the Bill they promised us within no very distant period.

THE MARQUESS OF SALISBURY: My Lords, I only present myself to answer this question because I am the residuary legatee of all questions which have no other patron. The noble Lord whose duty it is to represent the Local Government Board in this House is unfortunately prevented by illness from attending. This preamble will acquaint your Lordships with the fact, I am afraid, that I am not much acquainted with the subject on which I have undertaken to answer a question, and I must appeal to that benignity which distinguishes the noble Lord, and which I hope he extends to Her Majesty's Government, and exhort him to spare me for any shortcomings I may show in that respect. I must say that his question alarmed me very much, because it took so wide an area. As I understood, the noble Lord was very severe on the weather of this country. I have nothing to say in favour of the weather of this country—I think it is wholly indefensible. Then he attacked all the pavements of the Metropolis and all the Local Bodies to whom those pavements are due; but I do not see what remedy my noble Friend suggested for any of these difficulties. If I am to take the noble Lord who followed him as furnishing an authorised commentary upon his speech——

THE EARL OF MEATH: Not authorised.

THE MARQUESS OF SALISBURY: Not authorised? Well, a commentary to which we may look for instruction—it would appear that the remedy would be to place everything in the hands of the London County Council. The noble Lord who has just sat down uttered a very spirited criticism upon the Vestries of this Metropolis. He said that they had existed since the Heptarchy; I was not aware of that. And he said that they were eminently ecclesiastical in their constitution. That is not my impression of their present condition. He then proceeded to point out that it was impossible to trust bodies in whose election the public do not take a great interest, and within whose constitution such curious persons were found. I felt, while the noble Earl was speaking, that it was rather hard that there was not a representative of the Vestries in this House. I should have liked to hear a representative of the Vestries give his opinion of the London County Council. I am not sure that the noble Lord might not have found that he had been wielding a two-edged weapon. But I would venture to represent to my noble Friend behind me and to the noble Lord that the remedy of bringing in the District Councils Bill, to which allusion has been made, will not get rid of the variety of pavements of which they complain. It will be quite possible for the District Council of St. Giles in the future to prefer asphalte and for the District Council of St. Pancras to prefer wood. The Bill will not insure an absolute uniformity of opinion on the question of the use of asphalte or wood. Therefore, unless you have an absolute despotism vested in the London County Council you cannot insure that uniformity which is necessary for the purpose of procuring uniformity in the shoeing of your horses. My impression is that there will be some hesitation about intrusting such despotism to the London County Council without a more extended experience than we have hitherto gained of its management of the matters which have already been committed to its charge. I do not wish to say anything derogatory of its business capacities; I believe they are very high, that its energy has been very praiseworthy, and that it has devoted itself to its work in a highly creditable manner. Still, its existence has not extended over a very long period, and it is somewhat early to give it such enormous powers as these at the expense of other bodies that have existed for a long time. There is another difficulty. These various pavements, which have been criticised so severely, represent successive strata that have been deposited by the dominant opinion of the day among the Local Authorities. At one time everybody believed in granite cubes, then they went on to believe in macadam, then there was a perfect millennium of asphalte, and now we have sunk down to prosaic wood. All these were successive stages in the progress of opinion. Do you imagine that the alteration of opinion is stayed for ever, and that we are henceforth to have nothing but wood? My belief really is that if you establish this uniformity and succeed in preventing the various bodies in London from trying in any part any new pavement, you would possibly find that you were bound permanently to some form of pavement which the common sense of the community would universally reject and change in favour of some new invention. I am afraid variety is inevitable in human affairs, and that perfect uniformity has not been attained by the most powerful and the most ingenious despots. With the highest respect for the powers of the London County Council, and believing that it is capable of aspiring to most ambitious tasks, I yet doubt that such a blessing would proceed from it if unlimited power was committed to its hands. After all, in these Vestries, which are spoken of so slightingly, the only defect I know of is that every member of them must have an annual rating of £40, otherwise they are absolutely open, and they are elected by the ratepayers of the parish. If the ratepayers of the parish are not fit to elect these men, and if everybody who is rated above £40 a year must be considered as absolutely corrupt and incapable, I am afraid that the chance of obtaining good government in London by any alteration of machinery is small indeed.

House adjourned at five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 13th February, 1891.

PRIVATE BUSINESS.

NELSON'S PILLAR (DUBLIN) BILL.

(*by Order*).

SECOND READING.

Order for Second Reading, read.

Motion made, and Question proposed, "That the Bill be read a second time."

(4.10.) Mr. MACARTNEY (Antrim, S.): In moving that this Bill be read a second time upon this day six months I am afraid that I shall be obliged to occupy the attention of the House for a few minutes. It is brought before the House as a Private Bill, but it contains clauses of a very extraordinary character. It is promoted by three gentlemen who are tradesmen in one of the principal thoroughfares of Dublin, and they propose to interfere with and remove a monument which is almost of national interest. It is a monument to Lord Nelson which was erected by subscription to commemorate the valour of one of our most distinguished sailors. It has been erected in one of the best thoroughfares of the City. Every Irishman ought to take an interest in its preservation, and is entitled to intervene in any action that is calculated to injure it. I am aware that both the promoters of the Bill and those who oppose it belong to all political parties in Ireland; the discussion, therefore, will not partake of a party or political character. I am aware that among the promoters of the measure are some of the most eminent citizens in Dublin, but having regard to the nature of the proposals contained in the Bill I am obliged to ask the House to reject it. I am far from denying that there may not arise circumstances to justify a Bill of this kind, but in order to warrant the House in removing a monument like this I think it is necessary for the promoters to prove first that it is a serious obstruction to the traffic, next that its removal would be for the benefit of the traffic, and thirdly that the proposal to remove it has the general assent of the citizens of Dublin. I am prepared to show that the promoters are unable to establish any one of these three points. So far as the obstruction to the traffic is concerned, this pillar was erected to the memory of Nelson in Sackville Street at the junction of four streets—North and South Sackville Streets, Earl Street North, and Henry Street; and it stands on a site where Sackville Street is 119 feet wide with a carriage way of 39 feet on each side. No one acquainted with the traffic will for a moment contend that the accommodation afforded is not amply sufficient. There is no through heavy traffic to Upper Sackville Street, the principal heavy traffic being diverted naturally into other and more convenient channels. The terminus of the Dublin Tramways Company is on the south side, and on the north side the Dublin Corporation have established a fire-escape station. The promoters of the Bill declare that their object is to confer advantages upon the locality and the general public, but it is perfectly clear that if the pillar is to be removed the residents will be deprived of facilities which they have at hand for speedy locomotion. What has been the action of the Corporation of Dublin in regard to the traffic of this locality? Whatever the traffic at Nelson's Monument may be, that at the south end of the street is five or six times as large, and yet that particular site has been selected for the erection of a monument to Daniel O'Connell. I do not assert that the erection of the O'Connell Statue has involved an obstruction to the traffic. I admit that it is an ornament to the City, and that it is a great convenience to foot passengers who desire to cross at that point. But while I do not claim for Nelson's Pillar the artistic merit of the O'Connell Monument, I maintain that it affords to foot passengers a convenient and absolutely necessary protection. What is it that the promoters—certain buccaneering tradesmen from Upper Sackville Street—want to do? They say that they desire to secure a local public advantage, and therefore they propose to remove the pillar from South Sackville Street for the purpose of re-erecting it on the north side of Sackville Street, where the width of the roadway is only 109 feet, and where the obstruction to the traffic would be much more formidable. I think that nothing more foolish or more futile has ever been proposed in any Private Bill brought before this House. It would be just as reasonable to propose to relieve the traffic between Piccadilly Circus and Pall Mall by removing the Waterloo Memorial and placing it at the end of Regent Street. The *Daily Express* and the *Irish Times* oppose the Bill; the *Freeman's Journal* is in favour of it, while *United Ireland*, which admits that if the pillar interferes with the traffic it ought to be carted away, speaks of the whole matter with contemptuous indifference. So far as the Corporation of Dublin are concerned I confess that of recent years I have never felt any great personal respect for that body, but they happen to occupy the responsible position of Highway Authority within the City, and I may call the attention of the House to the fact that they have petitioned against the Bill, and decline to permit their funds to be applied for the purposes of the measure.

MR. SEXTON (Belfast, W.): Where is their Petition?

MR. MACARTNEY: A Petition against the Bill has certainly been filed by the Corporation. With regard to the provisions of the Bill itself they are absolutely inadequate to carry out the intentions of the promoters, assuming that their intentions are of a *bonâ fide* character. They propose to transfer the funds, now in the hands of trustees, and which are substantially entrusted to them for the maintenance and embellishment of the pillar, to the promoters; but they do something further. They propose to hand over the pillar to the "undertakers" before any action is taken in regard to its re-erection. They say in a statement which they have circulated that provision was made for the removal of the column in 1882, and that no objection was made to the proposal. That is true, but the reason was that great public advantages were to be gained by carrying out the Act of 1882. This Bill differs entirely from the scheme projected in 1882, and I may remind the House that hitherto the Corporation of Dublin have not availed themselves of the provisions of that Act. It became a dead letter, and has now entirely lapsed. The funds proposed to be taken possession of are altogether inadequate to carry out the purposes of the present Bill. They only amount to £2,500, and the Bill contains no provision by which they can be supplemented, whereas in "The Moore Street Market and Dublin City Improvement Bill" there were specific clauses enabling the promoters to raise capital for the purposes of the Act. Among those purposes was the re-erection of the Nelson pillar. Another objection I have to the Bill is that it contains no clause rendering it imperative on the undertakers to re-erect the pillar at all. They may take it down, but it is not imperative upon them to re-erect it. Indeed, the Corporation have come to an unanimous decision that no site shall be granted for the purpose.

MR. SEXTON: The hon. Gentleman is in error. What the Corporation determined was that it should be re-erected on a site which should not interfere with the traffic of the City.

MR. MACARTNEY: The report in the *Freeman's Journal* of a meeting held in December certainly fails to convey that impression. The resolution then arrived at, as far as I understand it, conveys the impression that the Corporation distinctly declined to give their consent to any site for the re-erection of the monument. A proposal was made that the Corporation should vote money for the re-erection of the pillar, but for once in their lives they refused to prostitute themselves for the purposes of any section of their body, and they declined to sanction the raising of money for an object they never intended to carry out. The purpose of this Bill is to enable three ordinary tradesmen of Dublin to take down a monument of a national character, which was erected by public subscription, and has existed for 80 years without the slightest inconvenience to the traffic of the City. I beg to move the rejection of the Bill.

MR. JOHNSTON (Belfast, S.): I beg to second the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. Macartney.*)

Question proposed, "That the word 'now' stand part of the Question."

(3.30.) MR. SEXTON: As a humble member of the Corporation of Dublin, I regret extremely that that body does not enjoy the respect of the hon. Member opposite, but the members of that Corporation, as long as they command, as they do at present, the confidence of the majority of the citizens, will be content, however painful it will be to them, to dispense with the respect of the hon. Member. Now, if there is any public memorial in Dublin which can be supposed to be obnoxious to the people of that City, I should imagine it is the statue of William III. on College Green, and yet the funds of the City have been devoted to the restoration of that statue.

MR. MACARTNEY: I did not make any suggestion that the Corporation are actuated by political bias. On the contrary, I admitted that the question is altogether free from political or party motives.

MR. SEXTON: Then I am at a loss to understand on what ground the hon. Gentleman withholds his respect from the Corporation of Dublin. I imagined it was because he thought they were animated by political feeling. It is somewhat singular that a Bill which is promoted by the burgesses of the City of Dublin, in order to remove an obstruction, should find in its most active opponents two Members who represent the North of Ireland—South Antrim and South Belfast. Those who desire to remove the obstruction are those who see this pillar every day, while those who oppose the removal are gentlemen who are seldom in Dublin at all. Let me remind the House that nine years ago a Bill was passed by Parliament which included in its provisions the removal of the Nelson Monument.

MR. MACARTNEY: It was a Bill of a totally different character from the present.

MR. SEXTON: But it included this purpose among others. This Bill consists of one purpose alone—a purpose which Parliament assented to nine years ago, and which the Crown was satisfied with on the condition that the monument should be erected on some other site.

MR. MACARTNEY: I have no desire to interrupt the hon. Member, but I think he fails to appreciate my argument. I said that circumstances might arise to justify the removal of the pillar, but that they have not arisen yet, and the Bill of 1882 included other objects of such great value that the House consented to pass it.

MR. SEXTON: But the other proposals were distinct proposals not connected with the pillar.

MR. MACARTNEY: As a matter of fact Nelson's Pillar was to be removed because it interfered with the new street which it was proposed to make.

MR. SEXTON: That Bill contained in one of its provisions the whole proposal of the present measure. The Crown gave its assent, and the hon. Member—one of the pillars of the Constitution—now describes the proposals that were then passed as audacious and improper. He speaks of "buccaneering traders." Let me read the names of some of them. In the first place, there are the London and North Western Railway Company. Where is the First Commissioner of Works, who, I believe, is a Director of that company?

MR. MACARTNEY: What I referred to was the three undertakers whose names appear in the Bill.

MR. SEXTON: The hon. Member has used the words "buccaneering traders." I would ask if the First Commissioner accepts that description of the Company of which he is a Director?

Then come the Midland Great Western Railway Company, Pickford and Company, Wallis and Company, Arthur Guinness, Son, and Company—a firm of which two Members, Lord Ardilaun and Lord Iveagh, have been raised to the peerage—the Thomas Street Distillery Company, Darcy and Company, Findlater and Company—if these are to be looked upon as "buccaneering traders," what is to become of the solidarity of the Unionist Party? The Henry Street Warehouse Company, J. G. Mooney and Company, and Eason and Sons, successors to W. H. Smith and Son, all of them regarded by the hon. Member as "buccaneering traders." The hon. Gentleman has made references to the O'Connell Monument, which are altogether misleading. It stands at the head of O'Connell Street.

MR. JOHNSTON: The Bill calls it "Sackville Street."

MR. SEXTON: I am not concerned in the terminology of the Bill, and I prefer to call it O'Connell Street. What I say is that the statue of O'Connell at the foot of the street does not interfere with the traffic from Amiens Street Station and from the Quays, but only with the traffic up and down the street. The fact is that Nelson's Pillar stands at a point where it interferes with the heavy traffic of Dublin. The right hon. Gentleman the Chief Secretary is probably acquainted with Dublin and with O'Connell Street [Mr. A. J. BALFOUR shook his head]. Oh! the right hon. Gentleman is not? Then let me inform him that the ordinary straightforward way of the traffic is interfered with by this pillar. What with a tramway station on the one side and a tramway and a fire-escape station on the other it is a work of considerable difficulty to conduct the traffic, and I am certain that no such obstruction would be allowed to remain in the City of London for a day. The writer of a *History of Dublin*, speaking on this pillar, says—

> "The design of this triumphal column was given by Wm. Wilkins, architect, Fellow of Caius College, Cambridge. It is of most ponderous proportions, which is not relieved by the least decoration. Its vast unsightly pedestal is nothing better than a quarry of cut stone, and the clumsy shaft is divested of either base, or what can properly be called a capital. Yet, with all this baldness and deformity, it might have had a good effect when viewed at a dis-

tance or placed anywhere else; but it not only obtrudes its blemishes on every passenger, but actually spoils and blocks up our finest street, and literally darkens the two other streets opposite to it, which, though spacious enough, look like lanes. There were objections to this site at first, but they are now become still stronger, since the building of the new post-office close to it, for by contrast it in a great measure destroys the effect of one of the largest and finest porticoes in Europe."

A point has been attempted to be made that there is no security that the Pillar will be re-erected. Well, there is a guarantee in the Bill that it will be re-erected under the superintendence of the Board of Works within two years after its taking down. The hon. Gentleman has fallen into an error with regard to the position of the Corporation. No doubt the Corporation of Dublin have petitioned against the Bill, but only for the purpose of obtaining a *locus standi.* They have determined that there is an obstruction which ought to be removed. I humbly submit that the House would stultify itself if it were now to go back upon its former decision. At any rate, a Committee upstairs ought to be allowed to inquire into the merits of the Bill and ascertain whether in its present position this pillar is an obstruction or not. It can certainly be erected upon some other site quite as favourable to the memory of Lord Nelson.

(3.40.) COLONEL WARING (Down, N.): The argument of the hon. Member who has just sat down is that the fact of the House consenting to the removal of Nelson's Pillar nine years ago affords an excellent reason why the House should consent to its removal now. But no Petitions have been presented to the House in favour of the removal, while there have been four presented against it. The hon. Member says that the Corporation of Dublin are in favour of it, but in their Petition they strongly object to the powers proposed to be conferred upon the promoters. A great deal has been said about the obstruction of the traffic in Sackville Street, but from my own personal observations of the traffic in that thoroughfare, there is no increase to justify the allegation of obstruction. If No. 43, Upper Sackville Street were removed, a much greater obstruction would be got rid of than the monument. Not only have the Corporation petitioned against the Bill, but the Tramways Company are also opposed to the removal of the pillar. I think the House would do well to wait until the public opinion of Dublin and the rest of Ireland has been more fully expressed on the subject.

*(3.45.) MR. T. D. SULLIVAN (Dublin, College Green): The House cannot have failed to perceive the curious circumstance that the opposition to the proposal to improve the City of Dublin comes from a little knot of Northern Representatives. It is not a new thing to me to notice that a certain number of persons in the North of Ireland, whose spokesmen are in this House, lose no opportunity of supporting everything that would tend to disfigure the City of Dublin, and of opposing everything that would beautify and improve it. No doubt it is a miserable and narrow-minded feeling, but I have seen it manifested over and over again. The simple object of the Bill is to remove an obstruction from the middle of Sackville Street, and re-erect it at one end of the street. At present the pillar intersects four thoroughfares, and prevents free communication from Earl Street to Henry Street. The O'Connell Monument is a large and handsome erection, but if placed where Nelson's Pillar is, it would undoubtedly be an obstruction. The Bill proposes to move the pillar further down the street, where it will be no obstruction, and provision is contained in the measure for the re-erection of the monument within one month after it has been taken down. This will improve the City of Dublin, and it would be a hard thing if the House of Commons, in such a local matter, should interfere with the carrying out of a reform which has been long desired in the ancient capital of Ireland. It would be a curious thing if this Imperial Assembly took that course at the request of certain gentlemen representing Northern constituencies, who seem to have ingrained in them a wretched feeling against every attempt to improve Dublin, and in favour of everything that could involve its disfigurement.

*(3.55.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I, at all events, cannot lie under the imputation of being a Northern Member, and I cannot be accused of a desire to do anything to disfigure the City of Dublin, in which I

live. I should not have taken part in the Debate if it had not been represented that the opposition to the Bill proceeds entirely from the North of Ireland. I wish the House to understand that the opposition to the Bill proceeds from the citizens of the City of Dublin, there having been four Petitions lodged against the measure, the signatories of which are impartial in the matter, as they have no personal interest in the suggested change. Among them are the Provost, Vice Provost, and several of the Fellows of Trinity College, together with merchants and numerous residents in Dublin. It is said that the House passed a Bill some years ago authorising, amongst other things, the removal of Nelson's Pillar. It is a totally different thing to remove such a pillar as part of a general scheme of improvement and simply to move it a few yards up the same street. Sackville Street is one of the widest streets in any of the principal cities of the Empire; on one side of the pillar there is 41ft., and on the other 37ft. It has been said that an obstruction like this would not be tolerated in any street in London, but I would ask hon. Gentlemen to walk down the Strand and observe the hideous monstrosity which marks the site of Temple Bar, and to remember that the Strand is scarcely wider than the space which now exists on each side of Nelson's pillar. I wish I could say that the traffic in Sackville Street is such as to render the pillar an obstruction, but that is not the case. I consider that the column looks better where it now stands than it would elsewhere, that there is absolutely no good to be gained by moving it, and I therefore oppose the Second Reading of the Bill.

(4.0.) MR. MURPHY (Dublin, St. Patrick's): I must say that this is the first occasion on which a Member of Her Majesty's Government has risen to oppose the Second Reading of a Private Bill.

*MR. MADDEN: I do not oppose it as a Member of the Government, but simply as a citizen of Dublin.

MR. MURPHY: I do not question the right of the right hon. Gentleman to exercise his privilege in the same way as any other Member, but it is the first time within my experience that a Member of the Government has got up to oppose a Private Bill. The feeling in Dublin is that the opposition to the Bill is actuated by Party and political motives, and that is the reason why certain newspapers in that City are opposing it. As a shareholder in the Tramways Company it is counter to my interests that the pillar should be removed, but I support the removal because, personally, I think it would be a great improvement and would facilitate the traffic. With the exception of the Attorney General, all the Members who have objected to the Bill represent constituencies in the north of Ireland. I trust that the House will not take the unusual and almost unprecedented course of rejecting the Bill on the Second Reading.

(4.5.) ADMIRAL FIELD (Sussex, Eastbourne): I do not often obtrude myself upon the House in an Irish Debate, but this is a question on which I think I am entitled to say a few words. I do not think that the Debate should be confined to Ireland, and the opposition to the Bill should not be confined to the Members for Ulster. Unless better cause can be shown for the removal of the monument, the House has no right to pass the Bill. There is no guarantee, moreover, that in the removal of the pillar it would not be injured or mutilated. I hope that sentiment is not altogether dead in this House.

AN IRISH MEMBER: What about the Wellington Statue?

ADMIRAL FIELD: The case of the Wellington Statue is an argument against the Bill, for when it was pulled down it was not re-erected in any other part of London. I may add that it was removed in direct opposition to the views of military men. There are not many monuments of our immortal naval hero in existence, and I hope that those which we do possess may be long preserved. If more space is asked for in Sackville Street, let the Corporation pull down the four corner shops.

*MR. T. D. SULLIVAN: One of them is the Post Office.

ADMIRAL FIELD: As long as Nelson's Pillar remains it is a sermon in stone, and it appeals to the sentiments and impulses of the most impulsive race on earth.

(4.10.) Mr. T. A. DICKSON (Dublin, St. Stephen's Green): I would make an appeal to the House to allow the Bill to be read a second time. I would not, for one, vote for the removal of the pillar simply for the purpose of re-erecting it a few yards higher up, but I believe that it should be removed altogether from Sackville Street and re-erected somewhere where it will be an ornament to the City. The Attorney General has referred to the opposition of the Provost and Fellows of Trinity College, but some of the most eminent citizens of Dublin take the other view. Lord Ardilaun was the first who hinted to me the desirability of removing the pillar, and I went with him to the Secretary to the Treasury to see the right hon. Gentleman upon the subject. The difficulty is not the narrowness of the street but the cross traffic which comes from the Quays.

*(4.11.) General FRASER (Lambeth, N.): I would say one word for my native city and its beauty. The hon. Member for West Belfast made his strong point that certain firms complain of obstruction to traffic. He went into the highways and bye-ways to prove this, but the fact is that the firms of Messrs. Davey and of Messrs. Eason are not in Sackville Street; and Messrs. Guinness's establishment is on the other side of the river, and their trade is chiefly conducted by water. I trust that the House will not agree to the removal of a splendid monument to a splendid sailor.

(4.12.) Sir E. HARLAND (Belfast, N.): It ought to be pointed out that shere is only a less space of two feet in the roadway by Nelson's Pillar than at the O'Connell monument in the same street, which it is not sought to remove. The removal and re-erection would probably cost £7,000 or £8,000, and I understand that only about £2,500 are available for the purpose. I would suggest that every purpose would be answered by removing the wide flight of steps on each side of the pillar, and thus increasing the width of the roadway. If this is done precisely the same room will be left on each side as there is now at the O'Connell statue.

(4.15.) Mr. T. M. HEALY (Longford, N.): Although I am in favour of the Bill I sincerely hope that the House will reject it, for if an argument in favour of Home Rule is wanted it would be found in the refusal of the House to allow this matter to be inquired into by one of its own Committees. Monuments in public streets are a public nuisance, and I should be prepared to support a Bill not only for the removal of this monument but also for those to O'Connell, Father Matthews and Sir John Gray. If it is desired to commemorate the memory of the great dead the statues ought to be placed somewhere where they will not be in the way of the living. If you appoint a Committee it will doubtless be entirely composed of English Members, and surely there can be no harm in allowing your own delegates to investigate the matter. Reject the Bill if you will; and in doing so you will have my blessing.

*(4.16.) Mr. WEBB (Waterford, W.): My place of business is within a few hundred yards of Nelson's Pillar, and I have, therefore, constant opportunities for judging of the obstruction which it causes to the traffic. It is true that Sackville Street is wide, but at this point it is intersected by Earl Street and Henry Street, both of which are narrow. The result is that the foot passengers and the traffic have to go round the monument in a most inconvenient manner. Nobody ought to demand the removal of the pillar more than the Representatives of the North of Ireland, because it stands right in the way of the traffic from Amiens Street Station to the Law Courts. I am almost inclined to concur in the remark of the hon. Member for North Longford (Mr. T. M. Healy) that it would perhaps be better if the Bill were thrown out, because it would at once show the people of Ireland that even in such a purely domestic question as this the wishes of the citizens of Dublin are not to be consulted. As a hero, I have no objection to a statue to Nelson, but it might be different if we were to judge of him from a moral point of view. The strongest comment which could be made in favour of Home Rule might, I think, be drawn from the fact that we have now been engaged for an hour and a-half in discussing the small question—whether a monument shall be removed from one part of Dublin to another More time has been devoted to the consideration of such a paltry question than is sometimes devoted to a question upon

which the happiness and fortunes of millions of our fellow-subjects depend.

(4.20.) The House divided:—Ayes 149; Noes 135.—(Div. List, No. 58.)

Main Question put, and agreed to.

Bill read a second time, and committed.

QUESTIONS.

VOLUNTEER OFFICERS—CASE OF SERGEANT MASON.

MR. ASHER (Elgin, &c.): I beg to ask the Secretary of State for War whether it is the case that Sergeant John Mason, of Peterhead, formerly attached to the third Volunteer Battalion Gordon Highlanders (a Volunteer of 22 years' standing) was in 1886 dismissed from the Service in consequence of certain charges made against him by his Commanding Officer; whether it is the case that these charges were not communicated to Sergeant Mason before his dismissal, and he had no opportunity of defending himself against them. Whether an application by Sergeant Mason to the War Office to order an inquiry, with a view to affording him an opportunity of proving his innocence of the alleged charges, was refused; and, whether his dismissal, in such circumstances, and the refusal of all inquiry, are in accordance with Military law?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lancashire, Horncastle): Sergeant Mason was dismissed from the Volunteers under orders from the right hon. Gentleman the Member for the Stirling Boroughs, then Secretary of State for War, for having brought frivolous, vexatious, and false reports against his commanding officer. This was the direct result of Sergeant Mason's own communication to the War Office. The present First Lord of the Treasury, when Secretary of State for War subsequently allowed the case to be re-opened, and it was then re-examined. Sergeant Mason, whose statement was then received, brought forward no circumstance which had not been already fully considered. His dismissal was in accordance with Military law, and I must altogether decline to re-open the case.

LEAVING CERTIFICATES.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the Lord Advocate whether he is aware that a widespread desire exists in Scotland to have the examination for leaving certificates thrown open to all schools; and whether, having regard to the opinion expressed by the Scotch Education Department, that they have no power to extend the scheme as proposed, he will, if necessary, take steps this Session to obtain for the Department the required Authority?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am aware that a very considerable desire exists for the opening of the Leaving Certificate Examination to all schools. But besides the limitation of the powers of the Department opinions differ on the subject, and there is room for doubt as to the expediency of such extension; and, meanwhile, it is felt that there are reasons for delaying any decisive action in the matter until there may be an opportunity of dealing fully with the subject, in connection with any scheme for assisting Higher Education which we may be able to lay before the House.

NEW SCOTLAND YARD.

MR. J. G. TALBOT (Oxford University): I beg to ask the Secretary of State for the Home Department whether it has been arranged that the new street leading from Parliament Street to the Thames Embankment shall be opened for carriage traffic; and, if not, whether he will consider any representations which may be made to him with that effect?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): In the opinion of the Commissioner of Police it is essential for police purposes that the road by the police office shall be maintained as a private way, and I am not able to consider any representation having for its object the opening of this roadway for carriage traffic.

MUSKETRY INSTRUCTION.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War how many battalions of Regular Infantry, out of the total number in the United Kingdom, practised volley firing with ball cartridge last year; and how many battalions of Militia, out of the total number, were put through a complete course of musketry?

MR. E. STANHOPE: Seventy battalions of Regular Infantry out of 72 in the United Kingdom practised volley firing with ball cartridge last year; and 127 Militia battalions out of 135 were put through a complete course of musketry.

BURIALS AT PLUMSTEAD.

COLONEL HUGHES (Woolwich): I beg to ask the Secretary of State for the Home Department whether the proposed Orders as to burials in the churchyard at St. Nicholas, Plumstead, are now in operation; and, if not, what is the cause of the delay?

MR. MATTHEWS: The Order of the Secretary of State under 15 and 16 Vic., c. 85, is now ready, and will be issued at once. The alteration of the Order in Council of 1859 is awaiting the next meeting of the Privy Council for confirmation. The delay since the Report of the Inspector, upon which I acted, and which was made in November last, has arisen from various applications from the Churchwardens, the Vicar, the Plumstead Board of Works, and others, which had to be taken into consideration before the Orders could be finally settled.

RATING OF GOVERNMENT PROPERTY.

COLONEL HUGHES: I beg to ask the Chancellor of the Exchequer whether he will grant a Return of the gross and net values of Government property in the County of London upon which the contribution in lieu of rates is based, showing each parish separately?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Yes; a Return shall be prepared of the net values of Government property in London in the form the hon. Member desires, but our information does not extend to the gross values.

GREENWICH HOSPITAL.

MR. BOORD (Greenwich): I beg to ask the First Lord of the Admiralty whether he is aware that Greenwich Hospital was, under an Act of 1869, let temporarily at a nominal rent of £100 a year and repairs; and whether he will consider if the temporary arrangement should now be replaced by letting the property at a fair rent, so that more pensioners could receive their pensions?

*THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON, Middlesex, Ealing): Under the powers conferred by the Greenwich Hospital Act of 1869 the Board, by Minute dated August 5, 1873, decided that the buildings of Greenwich Hospital should be used for the purposes of the Royal Naval College without payment of rent, all repairs to the buildings being executed at the expense of naval funds. In 1877 it was decided that an annual acknowledgment of £100 should be paid from naval funds. By this arrangement Greenwich Hospital funds were relieved of the expenses attending the repair and maintenance of the empty buildings, which amounted to about £3,650 per annum. Since 1869 wards have been available in the naval hospitals at the ports rent free for invalided pensioners maintained at the expense of Greenwich Hospital.

THE BUNBEG PROSECUTION.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the report of the prosecution at Bunbeg, County Donegal, on 13th January, of District Inspector Hill, and Sergeants Reynolds and Clarke, and other constables and emergency men, on a charge of riot and assault, on the occasion of the evictions on the Olphert Estate on 15th November last, in which the Magistrates, Messrs. Hamilton, R.M., and Beresford, R.M., held that Sergeants Reynolds and Clarke, and three constables, and three bailiffs, had been proved to have thrown stones continuously at the house from which Mr. M'Ginley was being evicted, but that the stone-throwing was, under the circumstances, justifiable; and whether he still adheres to the following statement, made by his authority, in a letter to an anonymous correspondent, directed from 4, Carlton Gardens, dated 25th November, and published in the *Morning Post* of 4th December, with reference to this occurrence:—

> "Mr. Holliday makes certain serious allegations against the police. As reported by you they are somewhat vague; but if he intended to state that the police threw stones at the people, or acted as emergency men, or went beyond their duty in protecting those who were carrying out the evictions, Mr. Balfour desires me to say that Mr. Holliday is stating what is not the fact."

MR. A. J. BALFOUR: I know nothing of the letter, but will make inquiries.

MR. T. M. HEALY (Longford, N.): Where is Wyndham?

THE MANCHESTER REGIMENT AT TIPPERARY.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Secretary of State for War whether he is aware that the colonel commanding the 1st Manchester Regiment, stationed in Tipperary, issued orders to the men of the regiment that they were not to partake of any refreshment in the house of John A. Carew, grocer and spirit merchant of that town; that on the 4th inst. two soldiers, having entered the premises of Mr. Carew. they were placed under arrest, stripped of their belts, and put under charge of the picket, but subsequently released because of their ignorance of the Regimental Order; whether any charge of misconduct has ever been brought against Mr. Carew in the management of his house; and what is the reason for Mr. Carew's house being forbidden by the Military Authorities?

MR. E. STANHOPE: The officer commanding the 1st Battalion Manchester Regiment did forbid his men to enter the house of J. A. Carew; but it is not the fact that two men were arrested on the 4th inst. for disobeying the Order.

MR. J. O'CONNOR: The right hon. Gentleman has not answered the questions in the third and fourth paragraphs. Is he aware that during the past two years men have in Tipperary been sent to prison nearly every week for what is known as boycotting there?

MR. E. STANHOPE: I am not aware of that fact. As to the questions contained in the third and fourth paragraphs, if the hon. Member will give me time I will try and get the information asked for. All I know at present is that the colonel decided, after full consideration with the Local Authorities, to take this step; but I do not know the reason.

COMPLAINT AGAINST THE IRISH POLICE.

MR. O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Royal Irish Constabulary have been visiting the house of a poor widow woman, Mrs. Gara, of Lisalinska, County Roscommon, night after night, and alarming the family, for the alleged purpose of looking for her son, a boy of 13 years, and that the police threatened to arrest a younger child only 10 years of age; and whether he will inquire into the circumstances of this case?

MR. A. J. BALFOUR: The Constabulary authorities report that warrants having been placed in their hands, they proceeded to arrest Patrick Gara. They made three efforts to effect his arrest, but on each occasion Gara absconded. The reason they made arrests at night was because they believed those whom they sought to apprehend would abscond. The police deny that they threatened to arrest a younger child.

MR. O'KELLY: What is the age of the boy arrested?

MR. A. J. BALFOUR: The officers do not answer that question.

MR. O'KELLY: He is 13.

MR. T. M. HEALY: Will the right hon. Gentleman call the attention of the Executive to the fact that when the Crimes Act was passed the then Attorney General (now Justice Holmes) promised that these inquiries should not be conducted after 6?

MR. A. J. BALFOUR: If a person evades arrest of course he or she must be taken into custody whenever opportunity offers.

MR. O'KELLY: Was the arrest made merely for the purposes of a fishing inquiry? Why was the boy arrested?

MR. A. J. BALFOUR: The boy was taken because he would not accompany the police without being arrested.

THE DE FREYNE ESTATE.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. Murphy, of Cloontowart, a tenant on the De Freyne Estate, was arrested at midnight under a warrant of an Inquiry Court, under the Criminal Law and Procedure (Ireland) Act, brought into Loughglynn Barrack, kept there all night, and brought into Castlerea the next morning; and whether steps will be at once taken to put a stop to such proceedings?

MR. A. J. BALFOUR: The Constabulary authorities report that the allegation in this question is unfounded. No Mrs. Murphy, of Cloontowart, was arrested.

MR. KELLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. John Crean was arrested at 1 o'clock in the morning on the De Freyne Estate, and brought to Castlerea; that the police refused to wait until morning, and refused to allow her husband to accompany her; has there been a warrant issued for the arrest of Mrs. Lavin, aged 75 years, whose son has been already committed to Castlebar Gaol for the seventh time; and whether these proceedings have been sanctioned by him?

MR. A. J. BALFOUR: The Constabulary authorities report that Mrs. Crean was arrested at 2.30 a.m., not 1 a.m. as alleged in the question. The police did not refuse to wait until later in the morning; neither did the police refuse to allow Mrs. Crean's husband to accompany her; but, on the contrary, the woman herself, in the presence of the police, refused her husband's offer to do so. A warrant was, I am informed, issued to compel the attendance as a witness of Mrs. Lavin, sen., but could not be executed as she had absconded.

MR. HAYDEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. Shaskett was recently arrested on the De Freyne Estate under an Inquiry Court warrant at midnight, and brought into Castlerea in custody, the result being that from the fright she sustained she was unable to take any food until she reached home 20 hours after; and whether the practice of making arrests at night has been sanctioned by the Government?

MR. A. J. BALFOUR: No woman of the name of Skaskett has been arrested; but, assuming that the case of Mrs. Sharkey is referred to, the allegations in the question are wholly inaccurate. The arrest was made, not at midnight, but at 3 a.m. The woman exhibited no symptoms of fright. She partook of breakfast in her own house before she started, received a second breakfast at Castlerea upon arriving there, and which she partook of with apparent relish. Her examination as a witness was concluded at about 1.30 p.m., and she could have reached home by an hour and a half afterwards, or, in all, 12 hours from the time of her arrest. Arrests in the early hours of the morning have been rendered necessary owing to the organised attempt to impede the administration of the law.

MR. HAYDEN: Does the right hon. Gentleman approve the arrest of old women at 3 o'clock in the morning?

MR. A. J. BALFOUR: If women, young or old, refuse to do what the law requires them to do, and deliberately evade arrest during ordinary hours, I am afraid they must accept the consequences, even if unpleasant.

MR. O'KELLY: Will the right hon. Gentleman say whether or not these people were summoned before being arrested?

MR. A. J. BALFOUR: Nobody can be arrested until after being summoned.

MR. SEXTON: Will the right hon. Gentleman issue instructions that in cases of this kind summonses shall be issued in the first instance before having recourse to arrest?

MR. A. J. BALFOUR: If persons are arrested because they refuse to give evidence before Inquiry Courts, they and those who encourage them in resisting the law are alone to blame.

MR. SEXTON: I must press this point. Will the right hon. Gentleman secure that summonses shall be issued?

MR. A. J. BALFOUR: I assure hon. Gentlemen that no undue severity has been used.

MR. O'KELLY: Is the right hon. Gentleman aware that a number of women have been arrested without a summons upon warrant, and at midnight?

MR. A. J. BALFOUR: I have already stated with, I think, sufficient clearness that no undue severity has been or should be used; but undoubtedly if there is a conspiracy to refuse to give evidence in a case where a criminal offence has been committed it is absolutely necessary for the police to use all the powers vested in them.

Mr. SEXTON: Are we to interpret the right hon. Gentleman's declaration in the sense that the right hon. Gentleman will see that the women are summoned, and not arrested at unseasonable hours?

Mr. A. J. BALFOUR: It is perfectly clear that the expedient of arresting women at any time, especially at 3 o'clock in the morning, ought not to be resorted to except in cases of necessity. I am undoubtedly at one with the hon. Gentleman on that point.

Mr. O'KELLY: Will the right hon. Gentleman take steps to see that summonses are issued and the arrests made at proper hours of the day?

*Mr. SPEAKER: Order, order!

Mr. HAYDEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Edward Egan, an old man 70 years of age, of Carreenturpane, was arrested under an Inquiry Court warrant at midnight, and brought into Castlerea; that, after Mr. Egan returned, the priest had to be sent for to anoint him; and that he is now in a dying state, owing to the shock and the exposure of the night to which he was subjected; and whether the practice of making arrests at night has been sanctioned by the Government?

Mr. A. J. BALFOUR: The Constabulary authorities report that Edward Egan was arrested at 3.15 a.m. It is the case that the priest was sent for, and anointed Egan. But the man has not been attended by any doctor, and is not, as a matter of fact, in a dying state.

Mr. HAYDEN: Were not these proceedings taken at the instance of the brother-in-law of Lord Zetland?

THE IRISH RELIEF FUND.

Mr. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, as the Lord Lieutenant's Relief Fund is declared to be an effort of private benevolence, its distribution is to be intrusted to Resident Magistrates, policemen, and Poor Law official or other Government servants?

Mr. A. J. BALFOUR: The Distress Fund is, as the hon. Gentleman observes, the outcome of private benevolence; but Lord Zetland and myself, to whom the money has been intrusted, certainly do not consider ourselves as on that account precluded from availing ourselves, and availing ourselves largely, of the voluntary services of officials in organising and carrying out its distribution. Of course, other volunteer assistance will also be extensively employed.

Mr. T. M. HEALY: Will other benevolent persons be able to secure the co-operation of the Constabulary, the Army, and Navy in the distribution of relief?

Mr. A. J. BALFOUR: If the hon. and learned Member is in possession of any funds which he desires to distribute in relieving distress I shall be happy to give the hon. and learned Member every assistance.

Mr. T. M. HEALY: The right hon. Gentleman has missed my point. I asked how private individuals can secure this co-operation?

Mr. A. J. BALFOUR: And I have endeavoured to point out a method.

PRIVATE SCHOOL REGISTERS.

Mr. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether, in making Returns of school attendance, such as in filling up Schedule 33 (a) 1890, School Boards have any power by law to examine the school registers of private schools within their jurisdiction?

*Mr. J. P. B. ROBERTSON: The Returns in the Schedule referred to are called for under Section 31 of the Education Act of 1872; and that section specifies, as the primary means whereby the information necessary to make these Returns should be obtained, that School Boards should call upon managers to supply it. Whether in case of a failure to obtain the information by such means School Boards may fall back upon their powers under Section 30 of the Act, is a question which must be decided according to the circumstances in each case, and I am not prepared to lay down any general rule as to the manner in which such powers may be exercised.

ENNISKILLEN BARRACKS.

Mr. JORDAN (Clare, W.): I beg to ask the Secretary of State for War if the Commander of the Forces in Ireland, Lord Wolseley, has, since his late tour, reported in reference to the military barracks at Enniskillen and on the future disposition of troops and headquarters at that station; and, if so, will he lay a Copy of it upon the Table of the House?

MR. E. STANHOPE: Lord Wolseley has reported, but I am not prepared to lay the Report on the Table of the House. The whole matter is still under consideration.

MR. JORDAN: Will the right hon. Gentleman state the nature of the Report?

MR. E. STANHOPE: No, Sir; I would rather not.

MR. JORDAN: Is it possible we shall hear about it?

MR. E. STANHOPE: Anything which Lord Wolseley may recommend is subject to review at headquarters in London.

BACCARAT.

MR. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the playing of "baccarat" at "Tranby Court," Doncaster; and whether he intends to take any steps to punish the offenders?

MR. MATTHEWS: I have no information on this subject beyond newspaper paragraphs. I am advised that it is not an offence against the Gaming Laws to play baccarat in a private house.

THAMES CONSERVANCY.

MR. LAWSON (St. Pancras, W.): I beg to ask the President of the Board of Trade whether he intends to move for a Committee to inquire into the Conservancy of the Thames, in view of his assurance last Session?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Proposals having been laid before Parliament dealing with the water supply of London, it is not now expedient to take the step suggested by the hon. Member.

COUNTY COUNCILS AND THEIR BILLS.

MR. LAWSON: I beg to ask the President of the Local Government Board whether, in view of the difficulties likely to arise in the case of the Bill promoted by the Lancashire County Council and in other cases, he proposes to give any general power of promoting Bills in Parliament to County Councils, similar to those now possessed by municipal boroughs; if not, whether he means to take any steps to have such action pronounced *ultra vires*?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have no intention to take any action with regard to the matter referred to in the question.

JUDICIAL REFORMS IN EGYPT.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs if he can state what is the present position of the suggestions for reform made by Mr. Justice Scott in his Report on the Native Tribunals and Judicial Administration of Egypt, and what prospect there is that these or some similar reforms will be carried out by the Government of the Khedive; and whether it is intended to present to Parliament any Papers relating to the subject?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Khedive, who has recently returned to Cairo from the Upper Nile, has not yet given his decision, but there is every ground for hoping that the proposed reforms will be carried out. When the arrangements are complete Papers will be laid before Parliament.

THE SAVINGS BANK.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Postmaster General, with regard to the fact that the First-Class clerks of the Savings Bank Department recently forwarded a Memorial to the Controller, requesting that they might be paid *pro ratâ* for compulsory extra duty, and were informed, in reply, that they would henceforth be relieved from compulsory extra duty, how many members of the Second Division of clerks, who are now compelled to perform extra duty, are paid less than *pro ratâ* on their salaries; and whether the same relief which has been granted to the First-Class will also be extended to them?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In answer to the hon. Member, I have to state that the Memorial dated January 30, to which he refers, is now before me, but that as yet no reply has been given to it. The answer which I gave to the hon. Member in this House on the 27th of January still holds good. The hon. Member will, of course, understand that fluctuations in business necessarily affect the attendance, and this would account for any slight variation.

EARL COMPTON (York, W.R., Barnsley): Is it not a fact there is compulsory overtime all the year round?

*MR. RAIKES: There is extra duty at all times, but it does not fall on every one in the Department.

THE NAVY ESTIMATES.

SIR JOHN PULESTON (Devonport): I beg to ask the First Lord of the Admiralty whether he can state the amount to be added to the Wages Vote in the Navy Estimates covering the addition to wages understood to have been agreed to?

*LORD G. HAMILTON: I should prefer to make no general statement before the schedule of revised rates of pay is published in the dockyards.

IMPRISONED FOR STEALING MILK.

MR. JACOBY (Derbyshire, Mid): I beg to ask the Secretary of State for the Home Department whether he has had his attention drawn to the case of a farm labourer named Kelsey, who was sentenced to three weeks' imprisonment at Belper Petty Sessions for stealing three pennyworth of milk; whether he is aware that Kelsey stated that he took the milk because he had two little boys very ill, and that he had been out of work for some time; and whether he will consider the circumstances of the case, and remit the sentence?

MR. MATTHEWS: I have inquired into this case, and am informed by the Justices that this man had been convicted of larceny 10 weeks previously, and sentenced to pay a fine, and the Justices refused to impose a fine on a second conviction for a similar charge of stealing from the master in whose employ he was. The depositions do not contain the statement made in the second paragraph. I see no reason to interfere with the discretion of the Justices in dealing with the case.

NATIONAL GALLERY.

Copy ordered—

"Of the Annual Report of the Director of the National Gallery to the Treasury for the year 1890."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 96.]

Mr. Raikes

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to amend the Law relating to the Custody of Children." [Custody of Children Bill [*Lords.*]

And, also, a Bill, intituled "An Act to amend the existing Statutory Provisions respecting the Canonries, Prebends, and other Ecclesiastical offices of the Cathedral Church of Lichfield." [Lichfield Cathedral Bill [*Lords.*]

Colonisation,—That they do give leave to the Viscount Gordon (Earl of Aberdeen), to attend in order to his being examined as a Witness before the Select Committee appointed by this House on Colonisation, his Lordship (in his place) consenting.

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair.

GOVERNMENT CONTRACTS.

*(5.3.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not think I need apologise to the House for bringing forward a matter such as that contained in the Resolution, affecting, as it does, the question of labour, because I believe there is a strong public opinion that these questions are in many respects more important than those raised often in this House, and which give rise to heated Party controversy. In moving this Resolution I have no idea of reflecting on any Department of the Government, and I freely acknowledge what has been already done by some of our public Departments in this direction. Neither do I desire to make this a matter of Party controversy, for I think the recent Debate on the question of hours of labour on railways showed the desire of Members on both sides to give the best attention possible to the labour question. I am not proposing any revolutionary or radical measure. I am not proposing to fix the hours of labour or the rates of wages. All that I ask is that the State, as a capitalist and employer, shall set a good example. The phrase that property has its duties as well as its rights has been applied in the past too exclusively to the relations between

landlord and tenant; it should apply equally to the relations between employers and employed, because the employer has just as much moral responsibility with regard to labour as the landlord has with regard to the tenant who occupies his land. I think we shall all agree with one of the paragraphs in the Report of the House of Lords Committee—a not very revolutionary body—in which they say that the capitalist ought to pay closer attention to the conditions under which the labourer is employed. If that is the case with respect to employers generally, the principle should apply with tenfold force in the case of the State. Where the State employs labour directly, it ought to do so without the intervention of any sub-contractor, and it ought to pay to those it employs wages which are recognised generally as fair in the trade and the country. Where it lets its work out to contract, one of the conditions should be that the workman should receive without abatement the wages recognised in that particular trade, and should not work longer hours than those generally prevailing in the trade. Sub-contracting also, except under special circumstances, ought to be prohibited; and when Government work is indoors, if let out to contract, it ought to be done in factories and workshops, and not in the homes of the labourers, because we believe that the home work is very much at the bottom of the sweating system, and ought to be discouraged by the Government. All these things are feasible, and could be carried out without further legislation. These are matters which each Department has in its own hands. I do not propose to-night to discuss the question of home work. We shall, probably, have an opportunity of doing that on the Home Secretary's Factories Bill. Nor do I propose to discuss the question of the State acting as a direct employer of labour. I wish rather to confine my remarks to the point of view of Government contracts. My Resolution practically includes all Government contracts, whatever the class of labour. But I will confine my attention specially to building contracts under the War Office and the Office of Works. In regard to the question of Government contracts generally, I ask the House to affirm two principles. In the first place, that the contractor should observe the recognised customs of the trade with regard to hours of labour and wages; and, secondly, that sub-letting of contracts should, as a general rule, be prohibited. With regard to the questions of wages, it may be asked, Why is this demand made? It is because we believe the present system of contracting to be injurious to the best interests of the community at large. The Government is far the greatest letter-out of contracts in the country, and Government contracts are the most popular for three reasons. In the first place, the contractor makes no bad debts; secondly, he has quick returns; and, thirdly, a Government contract forms a good advertisement. The consequence is, that there is great competition, and tenders are cut down very much at the expense of the labour market. Such a state of things is unfair to the good employer, hard on the good workman, and injurious to the community. The fair employer is placed at a very great disadvantage as compared with the unfair. Of two men competing for a job, one fully intends to pay a fair rate of wages, his competitor has no such intention; and the letter, to use a somewhat sinister phrase current in the building trade, "throwing back the largest amount of blood money," obtains the contract, and then proceeds to squeeze his profits out of the pockets of the workmen. The result is that the good employer either gives up tendering for contracts; or, if it is necessary for him to continue tendering, he is seduced into imitating the example of his bad competitor—to follow that broad road which leads to the destruction of the workmen. If this state of things is injurious to the employers, it is still more injurious to the working classes. I do not desire to blame the contractors, who are largely victims of circumstances; but the contractor, having taken a contract at a very low price, in which no question of wages is specified, is not able to pay a fair rate to the labourers. The result is he is not able to obtain the services of the most skilled workmen, and has to put up with an inferior class of labour. As every one knows, especially in the building trade, the most skilful workmen are members of Trade Unions, the essence of which is that a man will not undersell his fellow-workmen, nor work at other than a fair wage.

Therefore, broadly speaking, Trades Union men cannot be employed on Government contracts. Not only is there thus a tendency to substitute unskilled for skilled labour, but in order to obtain sufficient inferior labour the contractor is often, on large jobs, obliged to import workmen from other parts of the country. I need not dwell on the evils of the overcrowding thereby created. Further, a case was proved before the Committee on Foreign Immigration, where a Government contractor advertised in a newspaper circulating in this country, but printed in a foreign tongue, for foreign labour to carry out his contract. That, of course, tended to bring into this country a large amount of that foreign pauper labour which many of us regard as a very great social curse, labour which not only helps to reduce the rate of wages, but it lowers the standard of living among our working classes. So much for the effect on employer and workmen. What is the effect on the community at large? The substitution of inferior for more skilled workmanship is not only a national loss, but in these days of extreme international competition it is a national danger also. We are told that the English are a logical people, but surely there could be nothing more illogical than, on the one hand, to lavish money on technical education in order to raise the standard of skill among our working classes; and, on the other hand, by means of the large amount of money paid to Government contractors to put a premium on inferior labour? As to the question of cost the present system may be cheap, but I think it is nasty. Many of our public buildings cost large sums for constant repairs, for never ending still beginning repairs, which might have been saved if they had been properly built at first. If, instead of the present system, we were to introduce one under which the contractor should be compelled to pay the wages recognised as fair in the particular trade, the contractors themselves would probably hail it with satisfaction. Profit would no longer be in antagonism to wages. It would take away the inducement to cut down contracts at the expense of wages, and would enable the contractor who pays fair wages to compete on better terms with the unfair employers. We should also get better work. Being able to offer good wages the contractor would desire, and be able to get, good workmen. It is a well-known axiom that, while inferior materials go with inferior work, superior work and superior materials also go together. No employer would think of putting a good workman on inferior materials, and therefore we should have a guarantee that the work done for the State will be more thorough than at present. It may be said that the system would be somewhat more costly than at present. No doubt the initial cost would be greater, but I do not think the ultimate cost would be, and, even if it were, the benefit to the State would be so great that the nation as a whole would gain. But I deny that the ultimate cost would be greater than at present. It would be capital judiciously laid out, and we should have a more solid and substantial result. I do not know in what way the Government propose to meet my Motion. The official reply in the past has been that it is not incumbent on the State to look to anything but the outside of the platter—the solvency of the contractor. Again, it is argued that the essence of a contract is that, so long as the proper material and so on is provided, the contractor ought to be allowed to carry out his work in the way he thinks best. Further, the First Commissioner of Works on one occasion, in reply to a deputation, said, "We must not interfere with the full play of the labour market. It will not do for the State in any way to fix the rate of wages." Now, in regard to the moral aspect of the question; the President of the Board of Trade so fully expressed his views on this feature of the question in the recent Debate on railway servants that it requires no further elaboration. He informed the Directors, both in writing and in this House, that unless they treated their men in a way that did not shake the moral conscience of the House, he, as representing the Board of Trade, would have to interfere. As regards the question of wages; the State, as a great employer, cannot fail to have a very considerable influence on the rate of wages throughout the country. Shall this influence be for good or evil? It is not proposed or in any way desired that the Government should fix the rate of wages. All that is asked is that the

Government shall accept as fair wages those which are fixed in the particular trade by negotiations between employers and workmen. There is no mystery about these rates of wages. Everyone connected with the trade knows and recognises them. They are accepted on the one hand as fair by the representatives of the men, and on the other paid without demur by all fair employers. I am a strong advocate of Trades Unions among working men, but I do not desire to raise that question now. The rates of wages to which I allude are those accepted as fair by the workmen, but not necessarily the full amount desired by the Trade Union. I do not by my Resolution desire to draw any distinction between union and non-union men. But I say that under our present system the Government put the Trades Unions at a great disadvantage because it is almost impossible for a Trades Unionist to accept work under a Government contract. That disability I should like to see removed, and all I ask for the Trades Unionist is a fair field and no favour. I do not ask the Government to pledge themselves one way or other in regard to Trades Unions. I hope I have given the House some arguments in favour of my Motion. I am glad to think I can emphasise argument by experience, for I can give several practical instances which will convince the House and the Government that we ought to go much further than we have gone in the past. By some of our great representative Municipal Bodies the system proposed in my Resolution has been already adopted. It is practically carried out in one Department of the War Office, and the right hon. Gentleman the First Commissioner of Works proposes to adopt it in the case of certain contracts in his office. The London County Council and the London School Board have had the system at work for two years past, and with very great success. There are many hon. Gentlemen opposite who are not over enamoured of their creation—the London County Council. Unlike Pygmalion they have not fallen in love with the work of their own hands; indeed, instead of trying to infuse life into it they have done their best to paralyse and petrify it. But whether everyone agrees with the politics of that representative body, I think there is a general feeling that the administrative part of the work of the Council has been fairly well done. With regard to the London School Board, many of us may feel it was high time, with some of their schools falling about their ears, that the Board undertook a new system of contract. In olden days they adopted the principles of political economy, and bought in the cheapest market. Now they have given up that system, and insist that fair wages shall be paid to the men they employ, and they find they get better value for their money. In the case of every contract, whether great or small, which the London School Board enter into they require the contractor to sign the following delaration:—

> "I hereby declare that I pay to the workmen employed by me not less than the minimum standard of wages in each branch of the trade."

The London County Council require contractors to affix their signatures to the statement that—

> "We hereby declare that we pay such rates of wages and observe such hours of labour as are generally accepted as fair in our trade."

This system has worked extremely well in the case of both of these great representative bodies. No proposal has been made to modify it in any way; but, on the contrary, proposals are constantly made to extend it. It has been found that, so far from harassing the contractors, as some hon. Members might think, the system has not been objected to by a single contractor. The list of contractors in both cases has been enlarged, and no difficulty has been experienced in conforming to the conditions laid down. It may be assumed that a contractor making a declaration such as I have read would desire to abide by the terms of his contract. It would not pay a man to break his contract, and thus risk being no longer allowed to tender. The probable loss would be much greater than any possible gain, and, in addition to that, the authorities have found that they have a sort of watch-dogs in the workmen and different Trades Unions interested, for they are ever ready to bring any cause of complaint before the Council or Board, as the case may be. With regard to the War Office, hon. Members will remember that the representatives of the War Office acknowledged before the Lords' Committee on Sweating that under the old system of Government contracting, a system of sweating had not only grown up, but had actually been encouraged and protected. The Director of Contractors, very greatly to his credit, determined to put an end to such an iniquitous system, and, as far as can be judged, the result of his action has tended greatly to diminish sweating under Government contract. In the Tailoring Department, before a contract is signed, inquiries are made of the contractor as to the rate of wages he proposes to pay, and unless it is found that the wages are no longer starvation wages, but liveable wages, the War Office decline to allow the contractor to undertake the work. In the Accoutrement Department the War Office goes still further, because they insist that every contractor before he can tender, or certainly before he can get a contract, must send in to the Department what is called a log of wages, and unless the Department are convinced that the log represents a fair and reasonable rate of wages in the trade, they decline to entertain the tender. That is not all. The Department of Works has gone a great deal further, further even in one respect than I propose we should go. The contract for the maintenance and repair of the House of Commons and other public buildings will come to an end very shortly. A Departmental Committee sat on the question, and they decided that instead of employing men directly, they will again let the work out to contract. I confess I regret they do not see their way to employ men directly. I, however, congratulate the First Commissioner of Works upon the very great step in advance which he now proposes to take. He has issued a new form of contract, which he expects those who tender for the maintenance and repair of our public buildings to sign. The right hon. Gentleman intimates to contractors that it is his intention that men employed on day work shall be competent workmen, and shall be paid wages at rates such as are generally accepted as current in the trade to competent workmen, and the contractor has to sign a declaration—

"That the rates of wages which I propose to pay to the men employed on day work under this contract are shown in the accompanying Schedule, and in my opinion represent the rates of wages generally accepted as current in each trade to competent workmen."

Furthermore, the right hon. Gentleman not only expects the contractors to state what they consider the maximum and minimum wage prevalent in the trade, but he intends to provide that the Surveyor of the Office of Works shall fix within the limit of the maximum and minimum wage what the contractor shall pay. That is, indeed, Government fixing wage. So much as regards wages. In regard to the other point in the Resolution, I must ask the indulgence of the House for a few minutes longer. I ask the House to affirm that a contractor, in the case of Government work, shall be prohibited from sub-letting any portion of his contract. I hope the House will not misunderstand the proposal I make. I recognise to the full that you cannot entirely prohibit all sub-letting or sub-contracting. There are particular forms of work that an employer cannot himself do, and which he must in some way sub-let to others, and I have endeavoured to qualify the general principle against sub-letting by certain words which I have placed at the end of my Motion. I recognise to the full that in the case probably of every contract the contractor uses certain material under the contract which he does not supply in the ordinary course of his trade, and requires certain descriptions of labour which is not within the competency of the labour which he generally employs, and, therefore, he is obliged to get that material and labour from others. But it is against the abuse, not the use, of the system of sub-letting I desire the House to guard. Even most legitimate sub-letting requires careful watching, and all that is not legitimate ought to be absolutely prohibited. Often a contractor, in order to save himself risk or trouble, lets out to some middleman certain portions of the work which, in the ordinary course of his business, he could do himself. That brings in an unnecessary middleman, who has to make his profit, and he makes part of his profit either by scamping material or sweating labour—probably by both means. But there is a worse form of sub-letting, that in which material is, so to speak, divorced from labour—the contractor supplies the material, and depends on the middleman to provide him with the labour. I maintain that in letting out a contract the Government ought to insist that the firm who undertake the work should carry it through.

The Government will probably say they already have in all their contracts a clause against sub-letting. That is perfectly true; but there are two objections to that clause. In the first place, no penalty is attached to the breach of the clause; and, in the second place, the clause is practically inoperative, because, as far as I can learn, sub-letting under Government contracts is allowed almost as a matter of course. I will not detain the House by giving instances of the very frequent and gross infringement of this sub-letting clause. I ask the Government to make the clause absolutely operative, because nothing could be worse or more useless than an ineffective clause. I ask the First Commissioner of Works and the War Office whether they cannot see their way to accept some such wording as that which is always inserted in the contracts of the London County Council, and which seems to me to cover all the essential principles, while allowing all proper freedom. I thank the House for the patience with which they have listened to me. I hope the Government may see their way to accept my proposition. If they tell me they have anticipated it I shall be glad; at the same time, I do not think I need apologise for having brought the question forward, though I do apologise for the inefficient way in which I have presented the case. If the Government really propose to carry the principle further, it is very right that public attention should be called to the fact. The Government should not be allowed to hide their light under a bushel; but they should give, by public declarations, that encouragement, that moral and material support to the workman which will be shown by our setting an example to other employers. I do not desire to withdraw the Motion, whether the Government accept it in principle or not, and for the reason that at the present time there is a great deal of public feeling and sympathy in reference to labour questions. Unfortunately, public opinion is somewhat fickle, and soon turns to other matter. Red tape soon springs up and chokes the good seed that may have been sown, and the evil goes on as before; but if the House, by Resolution, declares itself in favour of the principle of this Motion, there will be a guarantee to the nation at large that, in the opinion of the House, the State as an employer ought to set the best possible example to all other employers in the country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Clauses be inserted in all Government contracts, requiring that the contractor shall, under penalty, observe the recognised customs and conditions as to rates of wages and working hours that prevail in each particular trade; and that the contractor should, under penalty, be prohibited from sub-letting any portion of his contract, except where the Department concerned specifically allows the sub-letting of such special portions of the work as would not be produced or carried out by the contractor in the ordinary course of his business,"—(*Mr. Sydney Buxton,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(5.50.) MR. FENWICK (Northumberland, Wansbeck): I beg to second the Motion of the hon. Gentleman the Member for Poplar (Mr. S. Buxton). It was originally intended that the hon. Member for West Nottingham (Mr. Broadhurst) should second the Amendment, but, unfortunately, my hon. Friend is too unwell to be in his place. I, personally, am sorry that is the case, because my hon. Friend has given a great deal of attention to the subject which he has on more than one occasion brought under the notice of the House. I think it will now be generally admitted that where labour is underpaid or poorly paid it invariably leads to inferior workmanship. Most private employers of labour who care at all for the character of the work which is carried out by them are anxious to pay skilled and capable workmen as much as the price obtained for their produce will enable them to do. Experience shows that scamping and jerry-mandering in trade is usually the result of ill-paid or under-paid work; and if the Government are to secure skilled and capable workmen, it is highly important that they should be prepared to pay the rate of wage which is current. Why should the Government as a hirer of labour pay a less rate of wage for a similar class of work than is paid by private employers of labour in the same district? Let me mention a case which has recently come under my notice. The

Mayor of Richmond recently received a requisition signed by 30 out of 32 members of the Council calling upon him to convene a town's meeting in order to protest against the wages that are paid to the labourers and the constables in the public gardens at Kew. I have no doubt the First Commissioner of Works has had his attention drawn to this question. Until the month of April last year the wages of labourers in Kew Gardens were 17s. per week, and of the constables 20s., the hours of labour for the former being 66 per week, and the hours during which the constables were on duty a little less. A question was asked in the House by the hon. Baronet the Member for the Kingston Division (Sir John Whittaker Ellis) in May last as to the wages paid to the labourers and constables in the other parks of London. The answer given by the First Commissioner of Works was that the wages in the London parks were from 21s. to 24s. per week, but at Kew they were from 18s. to 20s. per week, and the reason he gave for the difference was that it was in proportion to the difference in the wages obtaining in London and the suburbs respectively. I submit that the right hon. Gentleman must be rather incorrectly informed, because an extensive inquiry among the nurserymen and florists in the neighbourhood showed that the average wages paid by these private employers of labour was 21s. per week, as against 18s. paid by the Government. The low rate of wages paid by the Government has a most demoralising effect. The tendency is to bring down the wages of labourers in the neighbourhood; for when the attention of private employers is drawn to the fact that they are paying 2s. or 3s. more per week than the Government, they ask why they should pay more than the Government for the same class of work. I know I may be told that the Government workmen have constant employment, and that that should count in considering their wages; but whatever advantage it may be to a man to have constant employment it is an equal, if not a greater, advantage to the employer to have men who have been trained to the particular class of work which they are required to perform rather than to have to change his workmen every now and again. This, I submit, is one of the chief difficulties private employers of labour have to contend with. Men come to him who have had no previous experience, and the employers are compelled, as it were, to train the men, who, very probably as soon as they have been trained, move off to other employers. So that I say this is one of the chief difficulties with which a private employer has to contend; and whatever advantage it may be to the workman to be continually employed in one firm, I maintain it is an equally great advantage to the employer to have such workmen rather than to be continually changing and taking on those who have had no previous knowledge of the duties they have to perform. Now, the question as my hon. Friend the Member for Poplar has pointed out, has been taken up very seriously and energetically by many other bodies besides the London County Council and the London School Board, and I am very happy to say that all the information that reaches me with regard to the working of their scheme is of the most satisfactory character. Only the other day I was told by a friend that the Chairman of the Committee of Works of the London School Board had declared that since the adoption of this principle the most satisfactory results had accrued to the Board. With respect to sub-letting—undoubtedly a subject of very great importance—I recently had my attention called to it by a letter from a correspondent at Woolwich. The Government had a contract to give out for the painting, I think, of Woolwich Barracks, and this contract was let to a gentleman who had previously done similar work at Portsmouth. At the latter place the rate of payment for painting was something like 5½d. or 6d. per hour, but when he commenced the work at Woolwich the rate of wages for painters was 8d. per hour. The contractor, however, immediately began to pay his workmen at Woolwich at the same rate he had been paying his workmen at Portsmouth, although that was 2d. or 2½d. below the ordinary rate of wages paid in Woolwich. What was the effect of this upon the minds of employers of labour in the town of Woolwich? Naturally, they said to themselves, "If the Government can have their work done for 2d. or 2½d. per hour below the rate at which we are compelled to pay why should we not take some steps in order to reduce the rate paid to our workmen to the level of that paid by the contractor holding a contract from Government?" A very strong agitation was got up in the town of Woolwich over this question, and I maintain that to allow this state of things to go on is both detrimental to the Government Department, inasmuch as they get inferior work done, and injurious to the workmen whose wages are "sweated" or kept down below the proper rate. Some of the contractors sub-let a portion of the work to their workmen, who are induced to undertake it at such a low price that they cannot get the lowest rate of wages out of the work they do. It will be seen, I think, that this question of sub-letting is a matter of very grave and serious importance to the workmen, and I sincerely hope the Government will offer no strong resistance to the Motion of my hon. Friend. I believe the First Commissioner of Works has already undertaken to make certain concessions. I was glad to hear him say, in answer to a question, that in future contracts there is to be no deductions from wages, especially as regards the cleaners about this House. I hope he will carry the principle somewhat further. I am told—I hope it is not true—that, previous to entering into contracts, a contractor is asked what rebate he is prepared to give from the amount of the contract, and at the present time I am told the rebate is about 16 per cent. on the original price. Well, it seems to me that if a contractor is induced, for the sake of getting a contract from Government, to give a rebate on a fair estimate of something like 16 per cent., that he will only be able to recoup himself by deducting that from the cost of the materials he will put into the work or from the wages of the workmen who supply the labour under the contract. I sincerely hope that what I am told is not true, that the First Commissioner of Works will be able to deny that such a request is made from the intending contractor as to the amount of rebate he is prepared to make from his contract price. I have to thank the House for the courtesy with which these observations of mine have been listened to, and I sincerely hope the Government will see their way, if not to accept entirely the Motion of my hon. Friend, to offer what may be a satisfactory compromise. I beg to second the Motion.

*(6.8.) MR. NORRIS (Tower Hamlets, Limehouse): My hon. Friend the Member for Poplar was good enough a few days ago to place in my hand the Resolution before us to-day, asking me for my sympathy and support. I am pleased indeed to be able to say that, on reflection and after talking with many persons who understand this subject, I have great pleasure in giving him my sympathy to a large amount. But I am sorry I cannot gratify him by supporting his Motion in its integrity, for the reason that there are difficulties which my hon. Friend has not foreseen. I am pleased he eliminated from his speech, and a most interesting speech it was, all question of Unionism or non-Unionism, but I am not disposed to think that those whom he represents on this occasion, and who have looked forward to his speech, will be quite of that opinion. In relation to this subject my hon. Friend suggested that he should introduce me to a deputation. I assented with pleasure, and he did introduce me to a very intelligent and respectable deputation of tailors. The members of this deputation looked me up and down, examined my dress, and put the question to me, "Are you a sweater, sir," or did I approve of the system? I replied, "Certainly not," and, in reply to further questions as to insanitary workshops, I stated that four years ago I had the honour of speaking to the Home Secretary, and pressing upon him the importance of some salutary regulations which would have the effect of improving the wretched condition under which work was carried on. Then the next point was, "Of course, you agree with Unionism or having a Schedule of prices?" To this I rejoined, "I am very sorry indeed to differ from you on that point," and I looked round to see if my hon. Friend supported me there, but——

*MR. SYDNEY BUXTON: I am sorry to interrupt my hon. Friend, but the House should know that the deputation to which I introduced him had no reference to the Resolution I have submitted to the House, but to a Factory Bill which is before the House, and to which I hope I may have his support when it comes on for discussion.

*MR. NORRIS: I am quite sure my hon. Friend is not responsible for what the deputation said to me, but I am bound to say that though the remark was not addressed to the question now at issue they said they hoped that in all Bills or Resolutions the hon. Member brought forward I would always support him. Well, I was not prepared to fall in with their views, though we had an interesting conversation. The difficulty I find, and which prevents me from supporting the Motion is that my hon. Friend goes too far, and does not define the principle on which he advocates that penalties should be laid on contractors. He cut the ground very much from under his own feet when he complimented my right hon. Friend the First Commissioner of Works for inserting in an invitation for contractors' tenders a Schedule of prices to be observed by the firm in payment of their men. I quite approve of that—that is not Unionism or non-Unionism, but a question of justice to the men. I think he also referred to the fact that the heads of the great Government Departments were very careful to express in the tenders that no form of unfair sub-letting would be submitted to. But I think it would be much better to go a step further and insert a clause that no intermediate agent, no middleman, shall be employed. I was struck with a remark of the hon. Member for the Wansbeck Division (Mr. Fenwick) on that point. I am not aware, of course, if the contractor who was employed to carry out the painting he spoke of was an agent, or if he was really engaged in the trade; but, at any rate, what I am particularly struck with is this that many Government contracts get into the hands of men not brought up to the trade they assume. That is a great evil in these contracts. Competition is keen for Government contracts, and workingmen of all others are ready to advocate that their employers should take these with a view to employment when other trade is slack. I think a step in the right direction would be to insist that in all Government contracts the Departments should invite and receive tenders from manufacturers only, and then that contracts should only be given to firms known to be of such position that they are capable of carrying out the contract with which they are entrusted. Contracts would then get into the hands of men of standing and position who would be above all those usages we all deprecate and deplore. But my hon. Friend would, under penalty, require a contractor to observe the recognised customs and conditions that prevail in the trade, while he omits to tell us what penalties he would have inflicted, and who is to judge of the observance or the non-observance of the customs and conditions. Is this to be done by a committee of inquiry, is it to be the duty of the head of the Department? Who is to define the recognised customs and conditions? Is this definition to be arrived at by the head of the Department, by a system of unionism or by some means of which we know nothing? There are great difficulties in the way. Then, as to piecework, I must say that I entirely differ from the conclusions of my hon. Friend, and this upon my own knowledge derived from the representation of a riverside constituency contiguous to his own. A system of subletting is often of great advantage to a poor community. In regard to shipbuilding, for instance, and contracts for such work, only recently I was in conversation with a shipbuilder on the subject, and he tells me the difficulty is this. If a contractor takes an order for a large ship, he has to confer with men of each trade who will have to assist in the execution of the contract. He will have to confer with the carpenters and smiths, the shipwrights, anchor smiths, the platers for steel or iron plates, the chain makers, the riggers, the cabinetmakers for cabin fittings, and others. There is not a man who can have knowledge of all these matters, and what then is a contractor to do? He must make such arrangements with the men of different trades as to prices as will enable him to undertake the whole work. It will be seen how difficult it will be for him to fix a price unless he is enabled to sub-let parts of the whole work. So also in regard to the supply of accoutrements, the same difficulty occurs. In saddles, for instance; is it possible for a contractor to undertake a large order without consideration and discussion with the men as to fixing a price. A manufacturer finds that it will be an advantage to him and to his workman when the latter represents that he has a large family at home growing up, and he would like to take some of the work home, where different members of his family under his superintendence can occupy themselves in different parts of the work. What evil is there in sub-letting parts of this wholesome work? It is within my own knowledge that, during the Franco-German War, contracts for haversacks came to this country, and these were sub-let to the poorer classes. The work was well paid, and although, perhaps, the people had to work long hours, still they were earning money, while of other work there was none to be had, and there were parts of the work upon which women and children were occupied. The Secretary for War could tell us how much of light leather work, fitting of straps, &c., there is upon which boys and women may be engaged. Would my hon. Friend, under regulations, prevent these smaller portions of a contract being let out in the way I describe? I feel that some fault may be found with the Motion, that it is not framed with full acquaintance with the facts. I well remember how Mr. Samuda warned the men in the Thames shipbuilding trade of what would be the result of their action in standing out for higher wages. Mr. Samuda's warning was unheeded, and where now is what used to be the great shipbuilding trade on the Thames? The men have suffered much privation and some of them have gone to the North, where trade has gone. Therefore, although I am anxious to provide a remedy against anything in the nature of sweating applied to sub-letting, against anything in the nature of an impoverishing and grinding of the workmen, and to this end the warning given to the contractors to-night may be useful, yet I cannot support the Resolution. I understand it is not open to me to move an Amendment, but I would suggest to my hon. Friend that if he finds it necessary to impose any conditions at all he should strike out his reference to penalty and sub-letting and add to his Resolution the words—

> "And that if these conditions be not faithfully fulfilled such contractor shall not be allowed to contract for a period of three years."

I think that will be quite sufficient to ensure that only principal contractors shall be employed, and all that my hon. Friend needs or requires will be gained.

*(6.22.) MR. CREMER (Shoreditch, Haggerston): I sincerely hope that the hon. Member for Poplar will not accept the advice which has just been tendered him, but that he will adhere to the terms of the Resolution he has submitted to the House. To those of us who for several years have been "pegging away" on this subject it is matter for congratulation that the question had been pushed almost to the edge of victory, before the hon. Member for Poplar at the eleventh hour brought forward his Motion, to which, however, I hope the Government will agree. None of us will grudge him his success, but it is onlp right that we should pay a tribute to the efforts of those who for six years have striven for this result. Tribute is also due to the Departmental Committee appointed by the Government. It fell to my lot upon several occasions to bring this same question in another form under the notice of the First Commissioner of Works, and we were met with the spirit of courtesy and fair play, which is characteristic of the right hon. Gentleman. I think some two years since, when after an important Division had taken place in the House, he promised an inquiry by a Departmental Committee, and that Committee has since had the subject under consideration. Personally I have to thank these gentlemen for the serious consideration they have given to this important subject and the practical admission of the justice of our views. Having said so much in recognition of the efforts of the men who have for the past six years interested themselves in the matter and to which I can bear testimony, and having tendered my thanks to the Committee for concessions made, I venture to express the hope that the Government will see their way to go still further and accept the Motion of the hon. Member for Poplar. Reference has been made to the evils of the contract system, and two or three years ago the scandals, as they were termed, of our Board Schools in London exemplified the evil. I do not know that I can adduce any better illustration in support of the Motion of the hon. Member for Poplar than by allusion to the scandals connected with the buildings erected for the School Board in the Metropolis. It is now some 12 or 14 years ago that I felt it my duty to bring this to the notice of members of the

School Board of London. I pointed out the faulty nature of the materials used in building, and I told members of the Board that unless the Board stopped the system of scamping the work, before long the ratepayers would be called upon to rebuild the schools then being erected. We tried in vain to induce the School Board to insert in their contracts some such clause as that they have since, fortunately for themselves and the ratepayers of the Metropolis, seen that it is absolutely necessary should be inserted in such contracts—a clause similar in character to that the hon. Member for Poplar desires to see introduced into Government contracts. I venture to say that the absence of such a clause for School Board contracts has caused to the ratepayers of the Metropolis a loss of £200,000 or £300,000 in the last few years. On grounds of economy this Motion should therefore be adopted, for though a little more money may be expended in materials and good labour, in the end a great saving will be effected to the nation. Therefore, if from no higher considerations, the Motion should be accepted. I would, however, urge that the Government should go a little further in the direction indicated. I have frequently expressed the opinion that the contract system should, as far as possible, be done away with, and that the Government should engage and pay its own servants every farthing of the wages this House votes from time to time. I regret that this Departmental Committee has not seen its way to recommend that this contract system should be got rid of altogether. The necessity for making this further concession will be manifest when I cite an instance of how Government work has been done at Buckingham Palace, where two contractors are employed. Messrs. Mowlem, Burt, and Freeman is one, and they pay their workmen the fair price for their labour suggested by the Union, 9d. per hour. But there is another contractor employed—and for the life of me I cannot understand why two contractors are engaged—and this other firm, Messrs. Brass, instead of paying their carpenters and bricklayers 9d. per hour, paid 7d. and 7½d., and their labourers instead of 6d. from 4¼d. to 4¾d. an hour. So there you have two contractors, the one paying their men at full rate, the other at a rate from 1½d. to 2d. an hour less. This state of things the workmen brought under my notice, and asked me to do what I could by appealing to that sense of justice which the right hon. Gentleman opposite has ever evinced when his attention has been called to such matters. This state of things obtains in other Government Offices, and it is to put an end to these anomalies and to give the workmen a fair rate of wages, so that the inequalities to which I have referred will no longer be allowed, that this Motion is moved. The system which obtains at the British Museum, is, I believe, still more anomalous—the contractor in the bookbinding Department deducting from 3s. to 7s. a week from the wages of the boys and workmen. The only objection I have ever heard to the adoption of such a Motion as this is, that employers ought not to be compelled to pay the same rate of wages to bad as to good workmen. There is, however, unfortunately, always a redundancy of labour in the market, and if the employer finds himself with inferior workmen, the remedy is always at hand. He can dismiss the inferior workmen and engage good workmen in their stead. I suppose it is known to many Members of this House that one of the conditions of a man joining a Trades Union is that he shall give a guarantee that he is a skilled workman. That is indispensable, so that an employer when he engages a man through that agency has always a guarantee that the man is a good and efficient workman, and not likely to scamp his work. I hope I have made myself clear—for I am labouring under a severe indisposition, which makes it almost impossible for me to articulate. But I thought it right to publicly thank in the House the right hon. Gentleman at the head of the Board of Works and the Departmental Committee for the generous support they have always given us when we have appealed to them to remedy grievances. I would appeal to them now in their own interest, as well as in ours, to go still further, and accept the Motion of the hon. Member for Poplar.

*(6.35.) THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I am sure every Member of this House will agree that the discussion which has taken place this evening

has been most interesting and useful. But it has turned mainly on Government contracts and contractors in the abstract. Sir, I thank the hon. Member who has just sat down for the very generous way in which he has spoken of the Department over which I have the honour to preside, and I have thought it as well to intervene in the Debate at this point, in the hope that I may be able to clear up a good deal of misapprehension which prevails on this subject, judging from the speeches we have heard in regard to the conditions of Government contracts. I also desire to explain what the view of the Government is with regard to the Resolution which has been brought forward by the hon. Member for Poplar, hoping what I have to say in that respect may conduce to the shortening of the Debate. Before I deal with the Resolution of the hon. Member for Poplar, I should like to comment a little upon the remarks in which he introduced it. His speech, I must admit, was on the whole a very fair and temperate one, but I think the House will agree with me that he sketched his subject in somewhat gloomy colours. He described very vividly what he called bad contractors. He sketched the sweating contractors and the attendant train of the workmen who suffer under those sweating contractors, and of foreign labourers brought in to affect the English labour market. A number of other such circumstances he detailed, and then, assuming that the kind of contractor he had sketched must necessarily be a Government contractor, he proceeded to complain that the workmen employed under such men must be so much worse treated than those who are employed by private individuals. Strange to say, however, he declared, at the same time, that Government contracts were the most popular of all contracts, and when the hon. Member came to particularise his charges he could only cite two instances, namely, the contract for general works and repairs in the City of London, and two or three exceptional instances of sweating brought before the House of Lords' Committee; and he admitted that as regards the latter the evil has been remedied, while, as regards the former, the new contract which will shortly be entered into goes even further in the direction he desired than he could have hoped. So much, then, for the speech of the hon. Member who moved the Resolution. That speech we listened to with great interest, but like all other speeches in the House it will pass away. Not so the Resolution. If we adopt it it will remain in the Records of Parliament. If its object and effect were only to declare the opinion of the House that every care shall be taken in Government contracts that the workmen employed under them shall receive for a fair day's work a fair day's wage, and that everything shall be done to render impossible, as far as may be practicable, the recurrence in future of such lamentable instances — exceptional though they were — of sweating as were brought before the Committee of the House of Lords, then the Government would most heartily have accepted it. But whatever may have been the intention of the hon. Member when he framed his Resolution it goes much further than that. I think I shall be able to satisfy the House that if the Resolution were adopted in its terms the effect would be to lay down regulations which, as regards many of the Government contracts, would be wholly unnecessary, but which might, if applied to others, lead to great inconvenience — which might land the Government who adopted such contracts in a difficult and even dangerous position, and which would cause mischief to the great industries of the country. Perhaps the House will allow me to explain, very shortly, what has been done in regard to the triennial contract for maintenance and repairs in London, which has many times been the subject of discussion in this House. The hon. Member who has just sat down has said that we have made at all events a step in the right direction in the changes we propose in future contracts for repairs in London, but I think some of the observations that have been made on this subject would mislead the House were I not to explain exactly how the case really stands. The contracts under the Office of Works are of two kinds. There is first the particular contract I am now speaking of, which has to do with the works and repairs of the public buildings in the Metropolis. There are, besides, a great number of contracts entered into from time to time by the Office of Works for the erection of special buildings such as the Post Office and the new Admiralty Offices.

These contracts are wholly different in their character. For many years the principle on which the contract for works and repairs in the London district was framed was an invitation to contractors to tender on a schedule of prices. These prices were formerly filled in by the contractor, but in 1884 a new system was adopted, the prices were then filled in by the Office of Works. Whatever may have been the disadvantages of that system, it certainly had one great advantage—it was extremely economical. The work was done, and done fairly well, and very cheaply to the taxpayer. I would mention a few figures. The money paid on this account during the triennial period from 1884 to 1887 was about £130,000. After the change was made it fell to £100,000, and the present contract is being worked at an annual expenditure of about £90,000, a great reduction. I say, therefore, that as far as London goes the change, from the point of view of economy, was a success. But I cannot say that, so far as efficiency goes, it was so great a success, and there were frequent complaints as to the wages of the men. In consequence, the whole subject of the rate of wages under Government contracts was considered by a Departmental Committee, composed of Sir Charles Fremantle, Mr. Giffen, of the Board of Trade, Mr. Spring Rice, of the Treasury, and my own most able and excellent secretary at the Office of Works, Mr. Primrose. I think it will be agreed that a better Departmental Committee could not well have been appointed. They examined a great number of witnesses, including officers of the Office of Works, of the War Office, and of the Admiralty, a great and popular employer of labour, and, most important of all, a deputation from the Amalgamated Trades Society of London. I have had the advantage of seeing most of their evidence, and nothing could be more fair and practical than the way in which the case of the Deputation of the Amalgamated Trades Society was stated and argued. As the result of that inquiry, the Committee submitted a scheme, which has been sanctioned by the Government and when put into operation the effect of it will be that in future the contractor will submit a schedule of prices as a fair exemplification of the range of wages accepted as current in each particular trade. Whoever the contractor is who succeeds in getting the contract, the money for wages will be paid not to him, for his benefit, but really only through him. The wages paid by the contractor will be reimbursed in full by the Government. There will be no more discount to be taken off by the contractor, and, therefore, in the future, no more temptation to make a job out of the workmen's wages. In all such future contracts the Government will do their best to ascertain the rate of wages generally accepted as current in the various trades. Now, Sir, it has been said of the other kind of contracts I have referred to—such, for instance, as the contract for the Post Office—that the wages are so poor that it is impossible for Union men to work under them. I need hardly tell the House I am not going to say one word against Trade Unions. I know full well the great services they have rendered not only to their members but to the community at large. I will say this, however, that whoever has said a Trades Union man would not work under those Government contracts cannot have known what he was talking about. I will venture to read to the House one answer that was made by one of the representatives—Mr. Turner—of the Amalgamated Trades, examined before the Departmental Committee. He had described how private employers paid the full wage and retained the services of Union workmen, and he was asked by Mr. Primrose whether there would be anything to prevent Union men from working under the Government contractors for the new Post Office. He said there would not; and further, speaking of Mr. Chapple, who is to do the remaining work on this Post Office for the Government, he added—

> "I know full well by long experience that they never think of employing any but practical men. By having cheap labour they are at a loss at the finish, and therefore there is no credit given to the foreman."

Now, this was one of the very contracts that we were told nothing would induce the Trade Union men to work under.

*MR. CREMER: May I ask who it was that made that statement?

*MR. PLUNKET: It was Mr. Turner I may go further and say that we know, as a matter of fact, that in almost all these great contracts—I am not now speaking of the triennial contracts—there is no dissatisfaction with the wages the contractors pay. And why should there be? The great contractors who know their own business will employ the best men, and these may or may not be Trade Union men. There may, of course, be exceptions to the rule, but there is no general dissatisfaction with the wages paid by the contractors who undertake the great Government contracts. As to sub-letting, we do not allow in these contracts any sub-letting, except with the written consent of the Office of Works; but, of course, that consent is given in certain cases in which the sub-letting is not of a vicious kind at all—that is to say, in which the transfer of the work from one man to another is not made in order that the middleman may make a profit, but in order that the contract may be properly carried out. Our rule is not to sanction any devolution of a contract of the evil kind to which reference has been made. It is done on the economical principle of the sub-division of labour. Then as to overtime, we do our best to discourage it in every way we can, but on this point the Resolution is of so broad a character that it would impose upon us a duty that really in certain cases it would be impossible for us to discharge. I will only say further that with regard to the future triennial contracts of the Office of Works the Resolution is unnecessary, and as regards the other contracts it is really beside the mark, and would often cause inconvenience and embarrassment. No doubt, if we had endless servants, and could squander as much money as we liked, we could carry it out, but under existing conditions everybody knows that business could not be done on the hard and fast lines laid down by the hon. Member. Could you apply the Resolution to one of the great Admiralty contracts? The thing is impossible. Imagine attempting to apply it to a contract for the construction of an ironclad! The first thing a contractor who undertakes to build an ironclad has to do is to employ a dozen or score of people to assist him in carrying out the contract. Yet that would undoubtedly be sub-contracting contrary to the strict language of the Resolution. I could point to many similar cases in that and other Departments of the State; but though I say this, I am not in the least arguing against the spirit or the main object of the Resolution. Sir, I will not dwell further upon this subject, but I will endeavour to state in a few words what it is the Government propose to do with regard to this Resolution. Of course I am well aware that cases of sweating have been proved in the evidence given before the Committee in the House of Lords on the sweating system, and the Government admit that in these instances the evil did require a remedy; but, at the same time, if this Resolution were carried as it now stands although in some sense it might tend to assist the object it has in view, it would on the other hand be absolutely obstructive to the carrying out of the great contracts undertaken by contracting firms for the Government to the great disadvantage of the Public Service. Again, with regard to what has been said about sub-letting it is not the use but the abuse of sub-letting, that is objected to, and if this were all that is covered by the Resolution of the hon. Member for Poplar I should not object to it. But this is not all, and, therefore, I shall propose, should the Motion of the hon. Member become a substantive Resolution to vary it in the following manner. I propose to strike out the whole of the hon. Member's Resolution after the word "that," and to substitute for them the following Resolution—

> "That in the opinion of this House it is the duty of the Government in all Government contracts to make provision against the evils which have recently been disclosed before the House of Lords' Sweating Committee, and to insert such conditions as may prevent the abuses arising from sub-letting, and make every effort to secure the payment of the rate of wages generally accepted as current for a competent workman in his trade."

*(7.10.) SIR L. PLAYFAIR (Leeds, S.): I think my hon. Friend the Member for Poplar will agree with me that the Resolution suggested by the right hon. Gentleman is a great improvement on that which he has proposed—for this reason, that it not only commits the Government to take care that for the future none of the evils which have been found to prevail under the sweating system shall be allowed to continue; but it goes even beyond this and commits the Government in all the future works in which it may engage, to undertake that the wages generally are such as may be customary among the men engaged in

the different trades. At the same time it puts the action to be taken with regard to the rate of wages in a more definite form than under the wording of my hon. Friend, and does not leave that question as one to be regulated by the Trades Unions. I think the hon. Member for Poplar would be well advised in accepting the Resolution offered by the Government, because I believe it would fulfil the object he has in view in a better way than the more restricted Resolution he has moved.

*MR. SYDNEY BUXTON: With the permission of the House I may be allowed to say a word or two in reply to the right hon. Gentleman. I am happy to say that I on my own part and my hon. Friend, who seconded the Resolution on his part gladly accept the words proposed on the part of Her Majesty's Government. We could have wished that the question of hours had not been excluded. But we are not only anxious that the House should come if possible to a unanimous conclusion on this important labour question, but we recognise the fact that the words suggested by the right hon. Gentleman would have almost as wide an operation as those of the Resolution which we have proposed. We therefore accept the terms of the Government proposal, and thank them for having met us in such a friendly and cordial spirit.

Question put, and negatived.

Question, "That those words be there added," put, and negatived.

Amendment proposed,

After the word "That," to add the words "in the opinion of this House it is the duty of the Government in all Government contracts to make provision against the evils recently disclosed before the Sweating Committee, to insert such conditions as may prevent the abuse arising from sub-letting, and to make every effort to secure the payment of such wages as are generally accepted as current in each trade for competent workmen."—(*Mr. Plunket.*)

Question proposed, "That those words be there added."

*(7.15.) MR. J. SPENCER BALFOUR (Burnley): As the representative of a large constituency which is deeply interested in a practical solution of the question now before the House, I shall give my cordial support to the Amendment which has just been suggested from the Treasury Bench, because I think it embodies a proposal that will meet the views not only of the working classes in general, but of those who represent them in this House. I think it would be a misfortune if this question were regarded simply as a Metropolitan question, or as one affecting only the Metropolis and the Dockyard towns. No doubt the question of Government work is one that more especially affects the working classes of London and the Dockyard towns, but at the same time, there is throughout the length and breadth of the country, and particularly in the Lancashire districts a strongly expressed feeling that some change should be made in the method of giving out the work required to be done under contracts with the Government, which has been hitherto adopted. As we seem on this occasion to be practically unanimous in regard to this question, I will not detain the House by answering the arguments of the hon. Member opposite, who referred to the difficulties which beset the original Resolution in reference to sub-letting. It should be remembered that there are many kinds of sub-letting, and the hon. Member for Poplar never proposed to do away with that form of sub-letting which is inherent in all great contracts. It is obvious to anyone who understands the subject, that no great public building could be erected in any part of the country if the contractor were not allowed to sublet some portions of the work. There must be subsidiary contracts for painting, carpentering, and things of that kind; but, with reservations such as these, it must be insisted upon, as the main condition of the contract, that all the chief portions of the work should run on all fours with the principal stipulations of the contract. With regard to the objection that has been made to the insertion of the words "under penalty" contained in the Resolution, the hon. Member can hardly be aware that few contracts do not include a penalty clause. But underlying all these technicalities, I venture to submit that the real object of the Resolution, and the real purport of this discussion, is to endeavour to urge on Her Majesty's Government that in all these matters it should take up a position which the Government only can assume, because it is the largest individual employer of labour in this country, and its relations with its operatives and its contractors

should be such as should form a sort of ideal relationship between itself and its *employés*—a relationship such as every good master in the country would endeavour to emulate, and a relationship, moreover, which would constitute at once a warning and a reproach to every bad master in the community. If such a relationship as this were once established, every operative in the Kingdom would be able to point to Her Majesty's Government and say of the Government system of contracts, and the Government method of carrying out its work, "That is the standard set by the State — a standard by which all other masters in their relations with their workpeople will be judged as they attain or to fall below that standard."

*(7.20) Sir A. ROLLIT (Islington, S.): I only desire to add one word to what has been already said. Having come down to the House for the purpose of supporting the Resolution I am very glad to hear that in the general opinion of the House the words proposed by the right hon. Gentleman the First Commissioner of Works are regarded as an improvement on the Resolution which appears upon the Paper. The words pledging the Government to "make every effort to secure the payment of the rate of wages generally accepted as current for a competent workman in his trade" are a distinct improvement on the words of the hon. Member for Poplar. But I think that the question of the hours of labour should also be included, and that it should be here set forth that the hours should, as a general rule, and subject to exceptional cases of emergency, be such as are accepted by the trade. If this were done, I think it would be satisfactory to all classes, and beyond this I think it would further tend to make the Resolution generally acceptable to the House.

Colonel HUGHES (Woolwich): I would remind the House that in consequence of a Debate which took place last August, a careful inquiry was promised by the Government into the wages paid to those who are in the Government employ. I suppose we shall soon know what has been the result of that inquiry; but I think we ought to congratulate the Government that they not only deem it their duty to inquire into the question of wages and of the hours worked by their *employés*, but that they feel it necessary to go still further, and to institute some real control and supervision over the wages of those employed by their contractors. I am sure we must all be delighted to know that the Government are prepared to go to the extent they have announced. I accept the Government's Amendment, because I consider it a decided improvement on the original Resolution, and I trust it will be the means of providing a solution of this important question.

Mr. JAMES STUART (Shoreditch, Hoxton): I only wish to express my thanks to the Government for the attitude they have taken in this matter, and to assure them of the satisfaction experienced in this part of the House at the fact that, in being enabled to pass this Resolution as amended by the Government, the House of Commons has washed its hands of all complicity with the sweating system. It has been generally supposed that for a long time there has been complicity of this kind hanging about the action of the Government, and the Resolution they have now proposed furnishes them with a sufficient defence against that suggestion, and marks a distinct progress in the cause of anti-sweating in this country. The time was when men bought their goods at the lowest price, without any other thought; but now there are many who never thought of it before who, when buying cheap articles, are led to consider whether the low price is legitimate, or has merely been obtained out of the misery of those employed in its manufacture. The encouragement of this sentiment will do more than anything else to put down sweating in this country. The Government, however, like all public bodies, are not amenable to sentiment; they can only be influenced in these matters by the representative opinions expressed in this House. I am glad the Government have recognised this position, and I accept their proposal not only as a pledge for their future action, but as an example to all other employers in this matter.

(7.24.) Mr. W. A. MACDONALD (Queen's Co., Ossory): I have merely risen to express a hope that this arrangement which seems to be of such a happy character, will be extended to Government contracts in Ireland. I have reason to believe that there is a great deal of dissatisfaction with regard to the Government printing in that country. At the same time, I am sure that the working-men of Ireland fully sympathise with the working-men of Great Britain in regard to this question. Those who represent labour in Ireland will, as far as possible, co-operate in all projects which have for their object the improvement of the condition of the working-men of Great Britain, as well as of those of their own country. The Amendment proposed by the First Commissioner of Works is eminently satisfactory, provided it will be thoroughly and honestly carried out. I sincerely hope the right hon. Gentleman will recognise the claims of Ireland for carrying out this Resolution.

Question put, and agreed to.

Resolved, That, in the opinion of this House, it is the duty of the Government in all Government Contracts to make provision against the evils recently disclosed before the Sweating Committee, to insert such conditions as may prevent the abuse arising from sub-letting, and to make every effort to secure the payment of such wages as are generally accepted as current in each trade for competent workmen.

SUPPLY — Committee upon Monday next.

SCHOOL BOARD FOR LONDON (SUPERANNUATION BILL.—(No. 49).

Order read, for resuming Adjourned Debate on Question [10th February],

"That Mr. Bartley be a Member of the Select Committee on the School Board for London (Superannuation) Bill."

Question again proposed.

Debate resumed.

*(7.28.) MR. F. S. POWELL (Wigan): I am placed in a position of some difficulty with regard to this Bill, because my hon. Friend proposes to refer it to a Committee on which my name is suggested, and upon which, if the Committee be appointed, I shall have pleasure in serving; but seeing that my hon. Friend the Member for the University of Oxford has obtained, on a Resolution of this House, a reference of the whole question respecting both London and the provinces, both School Board teachers and teachers in Voluntary Schools, to a Select Committee, I presume my hon. Friend (Sir Richard Temple) will consent to allow the Bill to stand over until that Select Committee has reported. I, therefore, trust that he will not press his Motion to-night, but will confer with the Government, with a view of carrying out, in its most effective manner, the Resolution already passed by the House. The question is one of great importance, affecting as its does not only the School Boards of London, but the whole of the School Boards throughout the country.

COLONEL HUGHES (Woolwich): I shall be glad to listen to any suggestion from the Government as to the best way in which the scheme proposed by this Bill can be carried out; but if the Motion is to be proceeded with now, as I trust it may, I should like to obtain the assent of the House to a proposal for appointing a Committee at once. The proposal as to the School Board for London is that the Superannuation Fund should be provided entirely by the contributions of the teachers, with the possibility that at starting it may need some grant from the School Board. This proposal, which has been sprung upon us within the last few days, with regard to the superannuation of teachers throughout the country——

*MR. SPEAKER: The hon. Gentleman is travelling beyond the limits of the question.

COLONEL HUGHES: Perhaps I am going a little too far, but I merely wish to point out that the Committee proposed by the hon. Baronet with regard to London is on the principle of guarantee by rates; whereas the principle of the other Committee, which is for the rest of England, is that of guarantee by taxes. I see, therefore, no reason why the two questions should be so amalgamated that——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,—

House was adjourned at half after Seven o'clock till Monday next.

HOUSE OF LORDS,

Monday, 16th February, 1891.

EAST INDIA OFFICERS BILL (H.L.) (No. 35.

SECOND READING.

Order of the Day for the Second Reading, read.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I have to ask your Lordships to give a Second Reading to this Bill, the object of which is to allow certain high Officers of State in India, when it is absolutely necessary on public grounds that they should do so, to come home to England for the purpose of consultation without incurring the penalty which at the present moment is cast upon them of losing their commissions or appointments if they leave India for the purpose of coming home. Your Lordships will remember at the time of the Jubilee, in 1887, it was suggested that the Duke of Connaught should come over from India for the purpose of being present at the Jubilee, and it was found necessary to introduce a short Act of Parliament to enable him to come, because by the provisions of the old Act, 53 Geo. III, which are now to be found in the Act 3 & 4 Will. IV., it is enacted that the return to Europe or the departure from India with the intent to return to Europe of any Governor-General of India, Governor or Member of Council or Commander-in-Chief, should be deemed in law a resignation or avoidance of his office or employment. In my opinion, it is perfectly right that that Act should have been passed at the time it was passed. Your Lordships know as well as I that a journey to India was in those days by no means as easy as it is at the present moment, when passengers from India had to return to England round the Cape, and their absence from their duties must have been necessarily prolonged. It was then necessary to point out to officials that if they meant to keep their appointments they must not leave the duties of their office for the purpose of coming home for their own pleasure in any way. But now the time for which they must be necessarily absent from their duties during their return to England is so greatly reduced that no inconvenience of that kind can take place. The Bill will only confer upon the India Office powers similar to those now enjoyed by the War Office, the Colonial Office, and the Admiralty, with reference to persons holding appointments under those Departments. I would remind your Lordships that there is no objection to the Governor of any of the Colonies, or any Commander-in-Chief of forces, either in Canada or elsewhere, returning home; and that the Foreign Office is entitled to call back its officers or Ministers of State for conference. In fact, that has been done by the Secretary of State for the Colonies. As Mr. Childers said in the other House when the Bill in reference to the Duke of Connaught was before it, he had called back the chief naval commander from the China station, and also the chief naval commander from the Pacific station, for the purpose of consultation with him. When the Bill which enabled the Duke of Connaught to come home was before the other House of Parliament, Mr. Childers, who then spoke upon the matter, said he saw no objection to his coming over, and that he would offer no opposition to the Bill provided Government would give a pledge to bring in a General Bill to accomplish his purpose in case of necessity. The Leader of the House gave that undertaking, and in pursuance of it, a Bill was brought in during last Session of Parliament, but could not be proceeded with further on account of the state of business. It is that identical Bill to which I am now asking your Lordships to give a Second Reading. I think your Lordships will see, upon looking at the provisions of the Bill, that there are ample safeguards to prevent abuse. In the first place it says that, "It shall be lawful for the Governor General of India in Council" to consent. It would, therefore, be necessary for the request to pass through the Council in India; and it could not come before the Council in India, unless at the request of the Secretary of State for India at home. Then the request can only be made on public grounds; if it is required on public grounds, any of the said officers specified in the Schedule may leave India for the purpose of proceeding to Europe. Therefore, I think your Lordships will see there is ample security against abuse; in the first place, the request rests upon the responsibility of the Secretary of State for India here; then it has to pass before the Council of the Governor General in India; and lastly, it can only be made on public grounds. For those reasons, I venture to ask your Lordships to give the Bill a Second Reading.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL [H.L.]—(No. 33.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, last year I ventured to lay before your Lordships' House a Bill to the same effect on this subject. A Commission sat for a long period inquiring into the wants of the deaf and dumb and of the blind. That Commission was presided over by a noble Lord who is now in the House (which he was not last year); and I am very glad that he is here, for I think the House will derive great advantage from any remarks he may make upon the Bill. The object of the Bill is to insure that these unfortunate children, whenever they are capable of being educated, should receive an education, like all other children in the country, and that the distance of the schools from their homes should no longer be made an excuse for their not being educated; because, of course, the best way of educating these poor children is not to send them to ordinary day schools, where they would be lost among hearing and seeing children, but to send them to existing institutions for that purpose, of which there are considerable numbers throughout the country. I believe the day schools set up by the School Board for London have not been found efficient for the purpose of educating children of this description, and therefore it is very desirable that power should be given to the School Authorities to contribute to such institutions, or, if necessary, by means of subscriptions, to combine together for the purpose of establishing such institutions specially devoted to the education of the blind or of the deaf and dumb. This measure provides that that may be done. It is not, as some people have supposed, a measure introduced with the view of interfering with existing institutions, but rather to confirm them in their position where they receive grants from the State or from the rates. Of course, they would be subject to inspection and to the same liability to control by the Government as in the case of ordinary schools for other children under the present system of elementary education. I do not think I need go into more than the main points of the Bill. I believe it depends mainly upon the points to which I have referred. On one point there may be some criticism from my noble Friend behind me, but I believe I shall find general support from your Lordships for this Bill which is to enable School Boards and School Authorities to act in places where these unhappy children exist, and also to enable a Parliamentary Grant to be given to schools where such afflicted little ones are educated, so that they may receive similar benefits and educational advantages to those enjoyed by their more fortunate companions, the seeing and hearing children. I will at present confine myself to merely moving the Second Reading of this Bill leaving its details for further consideration.

Moved, "That the Bill be now read 2ª."

LORD HERSCHELL: My Lords, I am not going at all to say anything in opposition to the Bill of the noble Viscount, which I entirely approve of. I rise only to call his attention to a matter which is connected with the subject of the Bill, because it will be observed that by the proviso at the end of Clause 2 the duty of the School Authorities shall not extend to children who are imbeciles. The noble Viscount will recollect that last year a deputation waited upon him for the purpose of calling his attention to the case of idiots. For the parents of such children the circumstances are very hard in comparison with others, because the parents of children not thus afflicted are assisted largely at present by the State in the education of their children. Owing to the large amount of the Educational Grants and to the cost thrown on the rates the education of children who are not afflicted is largely afforded at the expense of the public. But if a parent happens to have the misfortune to have a child who is an idiot, the State is entirely absolved from taking any part at all in giving assistance as regards the education of that child. Very often it happens that the parent is by reason of the misfortune of having an idiot child less able to provide for its education, as far as it is able to receive education, than he would be as regards his other children. Its education necessarily involves greater expense, and towards that expense no assistance is afforded by the State. No doubt the truth is that in a vast number of cases the burden is entirely taken over by a benevolent public who subscribe largely to institutions for this purpose. Experience, however, has shown that these institutions, aided as they are largely by public benevolence, are unable nevertheless to cope with anything like the number of children who could probably be received into them and be largely benefited thereby. It appears to me there is a good claim in this respect, in the first place because you do give assistance to the parent of a child in regard to its education when not so afflicted, and also because very often owing to the burden upon the parents of such children, and to the want of assistance from the State in educating them, they are unable to do anything for themselves in after years. Probably in a great number of cases idiots cannot from their unfortunate condition be taught a handicraft, yet they can often be instructed to some extent, and they can do a great deal towards helping themselves, and can sometimes even entirely support themselves without being any burden upon the rest of the community. This being so, not only does it seem right and fair but it is in the interest of the State that some special steps should be taken in the case of these particularly afflicted children to do at least as much for their education, as far as possible, as is done in the case of children who are differently situated. The noble Viscount is not, of course, unacquainted with the object for which the deputation, to which I have referred, waited upon him, and I trust that he will be able to say that the matter will be taken into consideration, and whether assistance might not be afforded in these very distressing cases.

*LORD NORTON: My Lords, I fancy there can be no possible objection on the part of anybody to the principle of this Bill. I have some little misgiving as to one or two points of detail rather in the contrary direction to the remarks which have just fallen from the noble and learned Lord opposite, who seems to seek indiscriminate aid from the State in cases, no doubt, of a very distressing nature, but which may yet be cases of children whose parents are perfectly able to provide for them, and who, therefore, ought not to be relieved of the responsibility of providing for their own children, under any circumstances, however distressing, by having that responsibility thrown upon the public. I should fancy that the case of the idiots and imbeciles of whom the noble and learned Lord has just spoken is amply provided for by the institutions relating to that class of persons of all ages, from infants upwards. They are not educational objects. The general principle of this Bill, that is to say, the inclusion of deaf and blind children in the national system of education, is clearly right in principle. There is no reason in the world why blind and deaf children should be excluded from our national educational system; but they should be carefully kept within its purview. This class of children really require to have far more provision made for them than is necessary for ordinary children as recognised in the national system of education. The Bill provides for including them in all the general provisions of the Education Acts—for the establishment of a sufficiency of schools. Clause 11 stipulates that for the expenses of education only the ordinary weekly fee payable in a public elementary school shall be charged. This is an eleemosynary principle, payment for more costly education at ordinary charge, in consideration of painful circumstances, whatever the parents' condition. It may be of the greatest possible mischief to the country if capable parental responsibilities are undertaken by the State. It would not only strike at the spirit of independence of the people throughout the country, but would convert our whole system of national education into an eleemosynary provision. Besides that, we see already that it has become a system of training by which the interests of the poor are postponed to those of the tradesmen class, will get apprentices trained at the public expense. I am sure the people of this country are shutting their eyes to this great fault and to the wasteful expenditure it incurs. I do not suppose many of your Lordships were aware, until a Return was made last year for which I moved, what is the total expense to which this country goes for national education at the present moment. We often hear in speeches upon the subject that we are spending £3,000,000 or £4,000,000 a year, but I was certain when the statement was made of the whole expense borne by Treasury Grants and by rates, not only for what are called elementary schools, but for reformatory, industrial, and all the other schools which are similarly paid for, that the amount would be more like £10,000,000. But I venture to say that if that great amount is run up by undertaking responsibilities which should fall upon capable parents, the excess is doing harm instead of good, and I think we ought to stop such misapplication. I am anxious to promote education in the healthiest way. I would make the compulsory clauses attach to the rich as well as to the poor—to everybody whatever their rank; for every man who does not properly educate his child is bringing him up to be a nuisance to the State, and a rich man ought to be compelled even more than a poor one, having better means and more knowledge of his duty, to educate his child. But what does this Bill do? After providing for all the ordinary expenses which are provided for by the other Acts for the education of children ordinarily admissible in the elementary schools, there are the expenses of establishing new schools, of contributing to existing schools, of maintaining the children, and of boarding them out, it only makes the parent liable in the early clauses for whatever sum may have been agreed upon between the parents and the School Board. That I think in the first place is a dangerous thing. There ought to be some scale fixed or some system adopted with regard to the liability of parents in the case; it should not be left as a matter of agreement. Some parents may have an influence with the School Board and may get better terms than they ought to get. But the point I specially desire to call your Lordships' attention to is upon the 11th clause, which only makes a parent liable in the case of a blind or deaf child to pay the same fee as in the case of ordinary children in public elementary schools. The cost of the education of these children is much larger than the cost of educating ordinary children. Why should the fee be limited to the same fee which is payable for ordinary education, in the case of parents who are capable of paying the actual cost? Why should they be allowed to receive this more expensive education at the same rate as that at which the ordinary education is publicly paid for? I should like to hear from the noble Lord who presided over the Commission the reasons that induced the Commission to introduce into its Report that limitation of payment. Consider, my Lords, how very much greater the expense is in the case of blind and deaf children. It is a much more expensive education. And not only that, but you are going to establish district schools for these children, and those who live at a distance are to be carried to these schools and must be boarded at them. I hope the noble Lord will also be able to give your Lordships a little statistical information in regard to the number of these cases. It would be useful to know how many of these dependent blind and deaf children there are. The number of them is not large, I think. The Report makes no discrimination. We ought to obtain some information from the Census as to the number of these children in the country. We ought also to learn the number of schools which are already provided for them. I believe there are a large number, and very good schools, in all parts of the country. I am conversant with the amount of such school accommodation in the Midlands, and I believe it is ample. We ought to know what the deficiency is, what is really wanted, before we can judge of the cost of the task which we have undertaken under this Bill. The Bill does not enable

School Boards to make use of private institutions. Those points I desire to call particularly to the attention of the House, but with the great principle of the Bill for including these unfortunate children under the operation of the Education Act I most heartily agree.

LORD EGERTON OF TATTON: Perhaps your Lordships will allow me to say a few words respecting this Bill, as it embodies to a great extent the Report of the Royal Commission, upon which I had the honour to serve. I hope I may be allowed to thank the Government, although late, as I was unable to be present on account of illness during the discussion last year—and all those who are interested in the education of this class of blind and deaf children will, I am sure, join with me—for the very prompt manner in which the noble Lord who represents the Education Department, and those who have also interested themselves in the question, have taken it up and embodied the principle desired to be carried out in the Bill. A Bill of the same description has been passed for Scotland, which in some respects appears to be an improvement on the Bill which is now before your Lordships, and to which I should like to allude. Still, my noble Friend's Bill was the first in the field, and for that I give him due credit. The noble Lord near me has alluded to the Report of the Royal Commission, but I am afraid the question he has asked me shows he has not studied that Report with that care which anyone who considers the question would probably think necessary. We are now on the eve of a Census, and I should be sorry to pledge myself as to the figures with regard to the number of blind and deaf children in the country at the present time until we have further knowledge from that source. My noble Friend near me also wished to know why the Royal Commission recommended that parents should not pay more than they could be reasonably expected to pay, and more than they would pay for the education of ordinary children. The Royal Commission was of opinion unanimously that parents should not be taxed in any way because they happen to have the misfortune to have children suffering under these infirmities of blindness and deafness, but that the position and means of the parent should be taken into consideration—that the School Boards and the parents were the right persons to come together for the purpose of making an agreement in the matter. We thought it would be more advantageous that that course should be adopted, rather than that we should fix any specific or definite sum which the parent should pay. There is another point also which I should like to allude to: there does not appear in this English Bill any reference to the technical instruction which the Royal Commission recommended should be given in the case of both the blind and deaf.

*VISCOUNT CRANBROOK: If my noble Friend will look at the interpretation clause he will see it is referred to.

LORD EGERTON OF TATTON: It is not put so clearly as it is in the Scotch Bill. It includes industrial training, but it is not put forward so prominently as it is in the Scotch Bill; and I think it would be very desirable that the noble Viscount should, if possible, make that more clear. I think it will hardly be understood by those who read this Bill throughout the country that it is intended to assist these poor persons to acquire industrial handicrafts. For that purpose it is of great importance that their education should be continued up to the age of 16. The Royal Commission recommended that they should have eight years of schooling, beginning at the age of seven, which would bring the child up to 15 or 16, and that after the age of 13 technical instruction should be given in the schools in handicrafts. But the point upon which there appears to me to be a want of clearness in the Bill is with regard to compulsory powers between the ages of 14 and 16. If there was one point more than another upon which the Commissioners were entirely unanimous it was that there should be compulsory powers between 14 and 16, and especially with regard to the industrial training of the blind and deaf, which the Commission thought they should have between those ages. I trust that that point may be made more clear, and that the noble Viscount will kindly state the objections which the Department have to that recommendation of the Royal Commission. I have no doubt that under the Bill as it stands the children may be kept in the schools up to the age of 16, and that a sufficient education will be given to them; but I think that those interested in the education of the deaf and blind children would prefer to see compulsory powers put in the Bill rather than leave it to the parents, because the State, having determined that education shall be given to this class of children, ought to see that that education shall be sound and thorough, and one which will enable them to earn their living in after life rather than that they should be allowed to become, as in many cases happens now, a burden on the community. It was, therefore, the opinion of the Royal Commission that those compulsory powers should be given up to the age of 16. At the same time, if there was any question raised as to the year, I should not object to the age of 15, because then eight years would be left for the instruction of the children after the age of seven. That is of great importance. That was the opinion not only of the Royal Commission, but of the deputation from all the schools in the Kingdom which the noble Lord received the other day. They were unanimous on that point. I am glad to see that there has been an improvement made upon last year's Bill by giving greater powers to the School Authorities either to assist existing institutions or to found new ones where necessary. I am sure that would only be done where it was absolutely necessary. There is no intention by this Bill to interfere with existing institutions, which have done so much good through private benevolence in the country. I do not know that there is any other matter in explanation with which I need trouble the House.

*THE EARL OF POWIS: My Lords, I would ask my noble Friend why he objects to special assistance being given to private institutions. At the top of page 6 it is provided that the children are to be brought from their residences to the boarding houses, and by analogy the provision as to boarding out children from their homes might apply to children being boarded out by parish authorities. It must be recollected that with regard to blind and deaf and dumb children, moving them backwards and forwards is a troublesome and expensive thing; and I think it would be desirable that where possible they should be sent to school within reach of their parents' residences or of the parish authorities who send them, I think also it would be an advantage to private institutions if they were allowed to fill up vacancies with these children. I presume the guardians will have an authority under this Bill for paying for maintenance in these public or private institutions. Private institutions might be allowed to receive them, being paid a subvention, in order to prevent the necessity for the erection of numerous schools which would have to be supported, and would be a very expensive mode of contribution by the school authorities towards dealing with these cases.

*VISCOUNT CRANBROOK: My Lords, I do not quite understand the objections of my noble Friend. There is a provision in the Bill by which the school authority is allowed to board out a child in the neighbourhood of the school or institution to which it is sent. With regard to private institutions being made use of, of course any institution to which children are sent which receive grants from the State or rates must be open to inspection, and in that way become public elementary schools in the ordinary sense of the word. I think there is provision made for employing the School Board rate for the purpose of providing for these children. The noble Lord seems to forget that I have nothing to do with Guardians. That has reference to pauper children, and the Guardians will deal with them. This Bill is to deal with children who are not in the workhouse but at their parents' homes, and who would be sent out in the different ways provided by the Bill. Then as to what was said by the noble Lord, the Chairman of the Commission, I would call his attention to the fact that the industrial training is provided for as far as it is requisite in the Bill. Of course it will be necessary for the Education Department to lay down the terms upon which they will insist upon industrial training, and in that way his objection will be met. Then with regard to age. I think my noble Friend is under a misapprehension. It is quite true that ordinary children are sent to school from 5 to 14; but the noble Lord forgets that those children are exempted by passing certain standards, and can then go out into the world and assist their parents. In this case there is compulsory power given up to the age of 14; but provision is made by the Bill by which these boys and girls are to be allowed to remain children up to the age of 16, that is to say for the purpose of being eligible to receive grants both Parliamentary and from the rates. But it seems to me unreasonable that you should tie people down to a hard and fast line at 16, for some of these children would probably be capable of taking an active part in life before that period. In fact, upon the very deputation to which my noble Friend referred, one of the most eminent members of it let out that while for most eight years' teaching was absolutely necessary, many children who had gone out after only four or five years' training were found to be wonderfully fitted for taking a part in life.

Lord EGERTON of TATTON: Only as tailors.

*Viscount CRANBROOK: I do not know whether they were all tailors or not; at any rate they could earn their own living. My noble Friend says they were only tailors; he seems to think that a tailor is only the ninth part of a man, and in those particular instances perhaps he thinks they had only received a ninth part of the education which should have been given them. But whether that is so or not you cannot tie down parents to say that in these cases their children shall be absolutely taken away from them until the age of 16, whereas in others they can go at 14. I do not say that they will have received by that time a thoroughly finished education, but that is not the duty of the State. If it were the duty of the State to turn out, so to speak, a thoroughly finished article, then all children would have to be kept in training until they were perfectly fitted for their positions in life. We do not do that. In this instance we give parents a great advantage if these boys and girls can be taught as children up to the age of 16, so that they may receive a benefit from the State or from the locality in which they live. Then with regard to what fell from the noble and learned Lord opposite in reference to imbeciles and idiots, I can point to some work that has been done in the matter. Under a Bill which I brought in myself in 1867, imbeciles placed in institutions are in a very different position from what they were when mixed up with the general workhouse population. Those places are extremely well-managed, and are doing a great deal of good in cases of adults so afflicted, by means not only of assistance from the rates, but of contributions spread over large areas. The deputation to which the noble and learned Lord referred was particularly anxious that the idiot and imbeciles should not come under the Educational Department. However, it is a subject which requires a great deal of thought. I quite agree with the noble and learned Lord, that there are a great number of children who would be benefited by getting into asylums where there are persons well qualified to train them; but it is almost impossible, without the greatest exertions, to get idiot children into those institutions. There is room for much more effort on the part of benevolent people in this direction, and perhaps also for contributions on the part of the State, to which I should myself offer no objection.

The Earl of KIMBERLEY: My Lords, I must apologise for saying a few words after the reply of the noble Viscount, but there is one question I should like to suggest, that is, are there sufficient provisions made in the case of parents who are able to provide themselves for the education of their children? I ask the question for this reason: the matter is put in the hands either of the School Board or of the School Attendance Committee, and I do not know that either of those bodies have machinery at their disposal by which they can ascertain that the parents can pay, and if that be the case, compel them to pay. It cannot, I think, be the intention of the noble Viscount that the State should provide the expense where the parent can provide it himself, but I do not see anything in the Bill upon that point.

*Viscount CRANBROOK: I thought the noble Lord who spoke upon the duty of the parent had been answered by my noble Friend who presided over the Royal Commission; but my answer is, that in the case of parents who can afford it, they are compellable to have their children efficiently educated. It is quite a mistake on the part of the noble Lord who spoke of the necessity of the rich being compelled to educate their children, because, under the present law, they are so compelled. If you are not giving an efficient education to your children, there is power in the authorities to compel you to send them to the public elementary school. Happily, in this country, people of that class do educate their children, and I am sure, for the sake of the separation of classes, which as my noble Friend knows is a feeling that exercises considerable influence in this country, those who can afford it will always take care that their children are not sent to the institutions which are open to everybody, but to places where they will have special care. My noble Friend (Lord Norton) seems to have entirely mistaken the effect of the 11th clause. That clause provides for an agreement between the school authority and the parent, not for the education alone, but for education and maintenance which, of course, goes much further. In the absence of an agreement between the school authority and the parent, there is power given to a Court of Summary Jurisdiction to settle the matter, not to make the parents pay only the fee which is the ordinary charge for education, but to take into consideration the means of the parent, and also taking into consideration the expense of the child's training and maintenance, beyond the ordinary cost of the education of a child in a public elementary school for children who are not blind or deaf; so that if it is the case of a parent who is in the same position as people who are sending their children to elementary schools, the mere education will not cost him more, but the cost of maintenance will be in addition. It is not absolutely fixed what sum he shall pay, but a summary jurisdiction is provided to fix what he shall pay, considering his position in life, what his means are, and parents are ordinarily paying for their children in the neighbourhood. I think that meets the point which my noble Friend raised.

*LORD NORTON: Will your Lordships allow me to say one word? I would point out that the compulsory clauses in the present Acts only extend to the age of 18, and that that is just the period at which some of the upper classes, most fatally it must be admitted, neglect the education of their children, whose education should extend to the age of 21.

On Question, agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House on Monday next.

House adjourned at a quarter past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 16th February, 1891.

LAND PURCHASE (IRELAND) ACTS (DEFAULT OF INSTALMENTS).

Return ordered—

"Of Particulars respecting Holdings in Ireland put up for sale by the Land Commission up to the 14th day of February, 1890, in consequence of failure in payment of Instalments of purchase money, in the following form:—

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
By whom sold.	Name of defaulting purchaser.	County and Parish in which holding is situate.	Date of purchase.	Area of holding.	Valuation.	Rental.	Purchase money.	Amount of Instalments paid.	Amount of Instalments in default.	Date of sale for default.	Sum realised at sale.	Remarks.

—(*Mr. John Ellis.*)

CERTIFICATED TEACHERS IN PUBLIC ELEMENTARY SCHOOLS.

Return ordered—

"Showing (1) total number of Certificated Teachers employed in Public Elementary Schools during the year ended the 31st day of August, 1890; (2) the ages and periods of service of such Teachers in the following form:—

Ages.			Years of service.		
Ages.	Number of Masters of each age.	Number of Mistresses of each age.	Length of Service.	Number of Masters.	Number of Mistresses.
20			1 year		
21			2 years		
22			3 ,,		
23			4 ,,		
24			5 ,,		
25			6 ,,		
&c. &c.			&c. &c.		

—(*Mr. Cross.*)

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 (ARREST OF MR. DILLON AND MR. WILLIAM O'BRIEN.

Mr. SPEAKER acquainted the House that he had received the following Letter relating to the arrest of Mr. Dillon and Mr. William O'Brien, Members of this House:—

"19, Bouverie Square, Folkestone,
13th February, 1891.

Reg. *v.* Dillon and O'Brien.

Sir,—

I have the honour to inform you that, by virtue of Warrants of Commitment issued by Messrs. Irwin and Shannon, Resident Magistrates for the County Tipperary, in Ireland, and duly backed by me under the provisions of the Act 14 and 15 Victoria, cap. 93, sect. 27 (3), for execution within the borough of Folkestone, Mr. John Dillon, M.P. for Mayo, E., and Mr. William O'Brien, M.P. for Cork County, N.E., were yesterday arrested within this borough by Chief Constable John Taylor, of this borough, and by him conveyed in custody to Ireland.

I have the honour to be,
Sir,
Your most obedient servant,
G. C. de Crespigny,
Justice of the Peace for the
Borough of Folkestone.

To the Right Honourable the Speaker,
House of Commons, Westminster, S.W."

QUESTIONS.

INDIAN MAGISTRATES—MR. FORDYCE.

Mr. MAC NEILL (Donegal, S.): I beg to ask the Under Secretary of State for India whether the Secretary of State for India is aware that Mr. Fordyce, in January, 1890, as Sub-Divisional Commissioner of Madhepur, in Bhagolore, committed one Barassur Kundu to trial at Sessions, causing him to be kept in custody for three months; that the Sessions Judge, Mr. Badcock, in acquitting the prisoner, commented on the Deputy Magistrate's "want of common sense in not discharging the accused"; whether he is aware that Mr. Fordyce, in May, 1890, sentenced a man to three months' imprisonment; that the appeal from this sentence was not heard till the original term of imprisonment had almost expired; and that the District Magistrate, Mr. Marindin, who heard the appeal, ordered the prisoner's release, censuring at the same time Mr. Fordyce's "disregard of instructions received from superior judicial authority," and commenting on his unfitness to be entrusted with judicial powers; and whether the Secretary of State will inquire if Mr. Fordyce is still in the Service, and still entrusted with judicial and magisterial powers?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has no official information on this subject, but he has reason to believe that Mr. Fordyce has no independent charge, but is under the immediate supervision of superior Magistrates.

MR. MAC NEILL: Will the right hon. Gentleman answer this question: Is this Anglo-Indian Resident Magistrate still in the pay of the Government of India?

*SIR J. GORST: I cannot tell that.

MR. MAC NEILL: If the right hon. Gentleman is unable to say whether Mr. Fordyce, the Resident Magistrate, is still in the pay of the Indian Government, will he be able to answer the question within a specified time—say before the Indian Budget is discussed?

*SIR J. GORST: Oh yes, Sir; I can tell that. Mr. Fordyce is in the pay of the Government of India.

MR. MAC NEILL: And is it intended to continue him in the Service of the Indian Government?

*SIR J. GORST: No, Sir; that I cannot tell without knowing what the intentions of the Government may be.

MR. MAC NEILL: Then I will repeat the question to-morrow.

THE SALT INDUSTRY IN BURMA.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for India whether he will lay upon the Table of this House particulars of the arrangements now being made in Burma in connection with the salt industry; whether the Excise rates on the local manufacture of salt have been raised to equalise them with the Customs Duty; and whether he can state the rate of the increase?

*SIR J. GORST: The particulars of the arrangements made are to be found in the Burma Annual Revenue Report, of which a copy shall be furnished to the hon. Member. The Excise rates on the local manufacture of salt have been raised to equalise them with the Customs Duty. The increase is from 3 annas to 1 rupee.

MR. CONYBEARE: Is that from 3 annas to 1 rupee per maund?

*SIR J. GORST: Yes.

BRITISH INDIAN SUBJECTS IN SOUTH AFRICA.

MR. CONYBEARE: I beg to ask the Under Secretary of State for India what steps have been taken with respect to the notices served in July last upon British subjects residing and trading in the Transvaal and the Orange Free State, directing them within 12 months to leave those States?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Perhaps I may be allowed to reply to the question. The question of the hon. Member refers apparently to the restrictions imposed by the laws of the Orange Free State and the South African Republic upon persons belonging to coloured races, whether British subjects or not. No information has been received as to any order that such persons are to leave either of those States; but the Orange Free State Law forbids their trading without a special licence, of which only nine have been issued, and it was decided to withdraw these nine licences after a year's notice. No action was taken by Her Majesty's Government in regard to the Orange Free State, as they have no *locus standi* under Treaty in that State, which would justify further opposition.

SHEIKH ABDUL RASOUL.

MR. CONYBEARE: I beg to ask the Under Secretary of State for India whether it is a fact that a Mohammedan, Sheikh Abdul Rasoul, was apprehended on his arrival in Bombay, on 27th January, 1890, by the Police Commissioner of Bombay; whether Sheikh Abdul Rasoul was imprisoned without trial, and without any statement being made to him as to the reason of his imprisonment, in the Fort of Assirgad, in the Central Provinces, for nine months, and, at the expiration of that period, taken to Bombay, put on board a steamer bound for London against his strong protest, his passage paid, and he landed in England without any means of support; whether, when he was put on board the steamer bound for England, he was told, on the authority of the Government of India, that the India Office was in possession of the facts of his case, and would arrange for him a sufficient allowance;

whether the Secretary of State will state why this man was imprisoned for nine months, and kept in custody all the time without a trial; whether, under the Penal Code, the Government have power to imprison parties without trial and to keep them in prison; and why Sheikh Abdul Rasoul was shipped to England; what charges the Government of India or the India Office have against him; and why communications which he has addressed to the Secretary of State for India are not acknowledged or answered?

*SIR J. GORST: The Secretary of State has no information officially on the matters stated in the question. The Governor General of India is empowered by Regulation 3 of 1818 to detain persons without trial for reasons of State. The communications addressed by the Sheikh to the Secretary of State have been forwarded to India, and the Secretary of State will await a reply from the Government of India before taking any action thereon.

MR. CONYBEARE: Upon that answer I should like to ask the right hon. Gentleman whether it is customary when communications containing complaints of personal hardship are received by the India Office to return no answer to them? I am informed that this unfortunate Mohammedan has several times communicated with the right hon. Gentleman and the India Office, but has not been vouchsafed an answer. Is it not desirable to inform such persons making a complaint that inquiry will be made into the case? Is it the custom of the Viceroy or any other of the authorities in India to kidnap men, and allow them to remain for months—in this case it was nine months—in detention without bringing any charge against them?

SIR J. GORST: That is not at all the custom in India. With regard to the hon. Member's question as to the letters, I think it would have been better if they had been answered.

MR. CONYBEARE: Will the right hon. Gentleman undertake that an answer shall be returned to this Mohammedan gentleman, and will he undertake to give a Return of all the persons who have been dealt with in a similar manner in India during the last 12 months?

SIR J. GORST: I must have notice of that question.

GLASGOW CATTLE MARKET.

MR. MAHONY (Meath, N.): I beg to ask the Lord Advocate for Scotland whether he can give the name of the person in charge of the weighbridge in the Cattle Market, Glasgow; and whether he can state if it is part of that official's duty to be in attendance at the weighbridge during the holding of the market?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The name of the lessee of this weighbridge is Robert Buchanan, who employs responsible persons to attend to it. The market regulation is that a man is to be in attendance at the bridge when required, and this, I am informed, is always observed on market days. If by any chance the attendant may for a time be absent he can be obtained at once by applying at the house of the lessee, which is situated at a distance of about 12 or 14 yards from the weighbridge. I am further informed that it is a rare occurrence for anyone to get cattle weighed at this weighbridge.

THE TOWER OF LONDON WHARF.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Secretary of State for War whether, after ascertaining that only three barges were moored to the Tower of London Wharf on the Saturdays in 1890 (namely, one on each of three separate Saturdays), he will admit the public to the riverside promenade on Saturdays and Sundays under regulations which will avoid any difficulty with regard to landing stores? I also wish to ask whether the announcement which appeared in a morning journal on Friday is authentic?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Yes, Sir; I have great pleasure in stating that Her Majesty has been graciously pleased to direct that the Tower Wharf be thrown open to the public on Saturdays and Sundays as soon as the necessary arrangements are completed.

THE VACCINATION ACTS.

MR. CHANNING (Northampton, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a sentence of seven days' imprisonment, with hard labour, passed on the 4th of February by the Magistrates at Northiam, Sussex, on George Ransom, of Northiam, for non-payment of costs incurred in connection with an order under the Vaccination Acts; whether, in view of the fact that the imposition of hard labour in such cases has repeatedly been declared to be illegal, and compensation given to persons so punished in error, he will refer the case to the Treasury with a view to suitable compensation for illegal treatment in prison; and whether, having regard to the frequent recurrence of these illegal sentences, he will take steps by circular, or otherwise, to inform Magistrates and their clerks more fully of the illegality of inflicting hard labour in such cases?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have received a Report from the Justices on this case, and have also been furnished with a copy of the commitment. The man was sentenced to imprisonment without hard labour. The occasion, therefore, for such action as is suggested in the second paragraph of the question has not arisen, nor have I any reason to believe that such illegal sentences are of frequent occurrence.

THE CURRENCY.

SIR W. HARCOURT (Derby): I beg to ask the Chancellor of the Exchequer whether, having regard to his statement that the measure he had promised for the restoration of the gold coinage will be postponed pending further proposals relating to the currency, it is his intention to deal with the currency during the present Session; whether he intends to take any Parliamentary action upon the schemes in relation to bank reserves announced in his recent speech at a public dinner; and when he proposes to bring these important questions affecting the financial and commercial stability of the country under the consideration of the House of Commons?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am unable to give a precise answer to the first question of the right hon. Gentleman. All must depend on the progress of general business, and much on a fair consensus of opinion which might be found to exist on any portion of my plans. There are some parts of the subject which might be separately treated and be dealt with in a few simple clauses. With regard to the second question, I am at present in communication with representatives of the large Joint Stock Banks, and it is possible that I may arrive at such an agreement with them as to relieve us from the necessity of Parliamentary action with regard to their reserves. With regard to the third question, I am unable to give the right hon. Gentleman any definite answer.

RAILWAY RATES.

MR. SINCLAIR (Falkirk, &c.): I beg to ask the President of the Board of Trade whether, before the Second Reading of the Provisional Order Bills (Railway Rates), he will lay upon the Table a Comparative Statement of existing actual rates and proposed maximum rates for certain typical articles carried between selected centres of trade, to enable the House to judge of the probable effect of the rates proposed by the Board of Trade?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): In consequence of representations made to me by a deputation on behalf of certain traders, a Return has been ordered of actual rates from a number of selected stations and in respect to a number of selected articles. This Return is in course of preparation, and will, I hope, be ready before the Joint Committee, to which I trust that the Bills will be referred, sits. I do not, however, think that the Second Reading of the Bills can usefully be deferred until the Return is circulated.

RATING OF MACHINERY.

MR. DUNCAN (Barrow-in-Furness): I beg to ask the President of the Local Government Board, with reference to the instructions, by Circular Letter or otherwise, issued by the Poor Law Board before 1871, and the Local Government Board since 1871, to Boards of Guardians and Assessment Committees, giving explanations and directions as to the method in which principles or rules of law affecting valuation for rating should be applied by them in practice, whether the issue of similar instructions explanatory of the statutory enactments and judicial decisions relating to the assessment of the rateable value of buildings containing machinery would be within the powers of the Local Government Board?

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): It has been the practice of the Local Government Board at the close of each Session to direct the attention of the Local Authorities by Circular Letter to the legislation of the year which has had any relation to the matters under the jurisdiction of those authorities, and they have accordingly called the attention of Boards of Guardians to the provisions of Acts which have had reference to the question of rating. The Board, however, clearly have no authority under which they could give instructions or directions to the authorities as to the principles on which different classes of property should be rated. It may be assumed that the authorities are themselves aware of the decisions of the High Court with regard to the principles of assessment, and the Board do not think it desirable that they should attempt any explanation of those decisions.

NOTTINGHAM POST OFFICE.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Postmaster General whether he is aware that the sub-postal and money order office in Walter Street, Nottingham, was closed without notice on the 2nd February, and that persons having money orders payable there have been put to great inconvenience thereby; and when the office will be again open to the public?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): The post office in Walter Street will be re-opened for the transaction of Money Order business as soon as the necessary alteration can be made in the premises of the Receiver who has recently been nominated. No avoidable delay has occurred in the selection of a successor to the late Receiver, who was nominated in the usual way by the Treasury.

Mr. J. E. ELLIS: I gather from the answer of the right hon. Gentleman that the delay has arisen from the old custom of nomination. Is that so?

*Mr. RAIKES: No, Sir; I did not say that. The delay has been unavoidable.

PETROLEUM.

Mr. STEPHENS (Middlesex, Hornsey): I beg to ask the Secretary of State for the Home Department whether he is aware that the heads of a Bill, upon which presumably the "Inflammable Liquids Bill" is founded, formed the subject of a series of conferences between an official of the Home Office and a representative committee of the petroleum trade, and that such committee came to the unanimous conclusion that the requirements of the Home Office were unnecessary in the interests of public safety, and of so stringent a character that they could not be carried out without imperilling the existence of the trade in an illuminant largely used by the poorer classes; whether he is aware that, with a very few exceptions, the fires ascribed to petroleum have occurred with petroleum spirit, the storage, transport, and sale of which are already under ample legislative control; and whether he will undertake to afford a sufficient interval, after the Bill is printed, before taking the Second Reading?

Mr. MATTHEWS: Yes, Sir; a series of conferences have taken place, but it is not the case that the committee of the trade came to the "unanimous conclusion" indicated in the question. On the contrary, several members of the committee expressed approval more or less decided of the principle of the Bill, and criticism was directed rather to certain matters of detail. As a matter of fact, some serious fires have occurred with petroleum, other than petroleum spirit, and strong representations have been made to me by various Public Bodies on the subject of the grave public risk which the present absence of regulation of petroleum oil entails. Moreover, I cannot allow that the existing law as to petroleum spirit is at all satisfactory. The Bill is already in print, and I will take care that a sufficient interval shall elapse before the Second Reading. It is a Bill that the House will probably refer to a Select Committee.

RAILWAY SERVANTS (HOURS OF LABOUR) BILL.

MR. CRAWFORD (Lanark, N.E.): I beg to ask the President of the Board of Trade whether he will assent to the Second Reading of the Railway Servants (Tenure of Houses and Hours of Labour) Bill, which proposes to confer on the Board of Trade certain powers of regulating the hours of labour of railway servants, with the view of its being referred to the Select Committee ordered on the 3rd instant?

*SIR M. HICKS BEACH: I could not prejudge the question by assenting to the Second Reading of the Bill referred to by the hon. Member (which proposes to confer on the Board of Trade certain powers of regulating the hours of labour of Railway Servants) with the view of its being referred to the Select Committee. It would be open for any hon. Member to bring the proposals of the Bill before the Committee.

SECOND DIVISION CLERKS.

MR. BRISTOWE (Lambeth, Norwood): I beg to ask the Chancellor of the Exchequer whether, having regard to the fact that the Order in Council dated 15th August, 1890, was issued to secure greater uniformity in the rules, governing officers of higher rank than the Second Division in the several Departments of the Civil Service, and that the Treasury Minute of 12th December, 1890, addressed to heads of Departments states that the Order in Council should be brought at once into operation for all Civil servants, any, and if so, what steps have been taken to retire officers in the Central Office of the Supreme Court of Judicature above the age prescribed by the said Order and Letter?

*MR. GOSCHEN: Under the Order in Council, the Treasury Minute referred to, compulsory retirement on the ground of age does not take effect until after a period of grace ending 1st January, 1892. In the interval the Lord Chancellor will consider what provisions of the Order should be applicable to officers of the administrative departments of the Supreme Court, whom he does not consider to be in a position in all respects analogous to that of other Civil Servants.

TIED BREWERS' HOUSES.

MR. JOHN KELLY: I beg to ask the Secretary of State for the Home Department whether he will state to the House the purport of the answer of Mr. Justice Grantham to the question which he undertook, on the 30th ultimo, to put to that learned Judge, with reference to the evidence given by the defendant's manager at the hearing of the action of "Keen *v.* Ushers & Co., Limited," on the 28th ultimo; whether he is able to say if evidence was given in that case as to its being a common practice with Brewery Companies to employ persons to manage their licensed houses who are, in fact, the mere servants of such companies, dismissable at a week's notice, but are made to sign agreements with the Brewery Companies for yearly tenancies in order that such agreements may be produced before the Licensing Justices; and whether, with a view to prevent frauds being practised upon the Licensing Justices by the production before them of bogus agreements for yearly tenancies, he will call their attention to the case of "Keen *v.* Ushers & Co.," and to the fact that their power is limited to granting or renewing a licence to a person "about to keep" the house, and that they must take all necessary steps to ascertain whether applicants, who may produce such agreements before them, are nevertheless only the servants of the Breweries' Companies to which the licensed premises belong?

MR. MATTHEWS: I am informed by the learned Judge that in the case tried before him both the man put in possession and the defendants stated that the agreement was a "bogus" agreement, and adopted for the purpose of deceiving the Justices. This being admitted, the Judge describes such an agreement as a fraud on the Justices, but stated that, in his opinion, the London brewers, as a rule, were not guilty of it, and that it was not a universal practice. No evidence has reached me either that the requirements of a yearly tenancy is commonly made by the Justices, or that, when made, it is fraudulently evaded by the applicant for the licence. The case of "Keen *v.* Ushers & Co." establishes no new principle of Licensing Law to which attention need be called.

MR. KELLY: May I ask the right hon. Gentleman whether the Magistrates have any power to give or transfer a licence to any person except the person about to keep the premises?

MR. MATTHEWS: The hon. Gentleman is now interrogating me on the Licensing Laws. I must refer him to the Law Courts.

THE BACCARAT SCANDAL.

MR. SUMMERS (Huddersfield): I beg to ask the Secretary of State for War whether any attempt has been or will be made to enforce the provision contained in the Queen's Regulations and Orders for the Army that "the commanding officer is to discountenance any disposition in his officers to gamble?"

*MR. E. STANHOPE: I have every reason to believe that Commanding Officers do use every endeavour to discountenance gambling in their Regiments, and with very satisfactory results.

MR. SUMMERS: Does the right hon. Gentleman understand that, by Section 7, Paragraph 5, of the Regulations, the Commanding Officer is called upon to "discountenance any disposition in his officers to gamble?"

*MR. E. STANHOPE: Yes, Sir; I perfectly understand that.

*MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for War whether any communication has been received at the War Office from any officer in the Army, or from any other source, which enables him to contradict the statements which have been generally published in the Press, connecting the names of a Field Marshal, a General, and a Lieutenant Colonel in the Scots Guards with a case of gambling and alleged cheating in Yorkshire in September last; whether he is aware that legal proceedings have been commenced by one of such officers relating to certain allegations which have been made connected with his conduct at the gaming table; and whether, pending these proceedings, he will take steps to prevent any officer connected with them from being retired? I also wish to ask whether the right hon. Gentleman has personally seen either of the three officers upon this subject?

*MR. E. STANHOPE: No communication has been received which enables me to contradict the statement published in the Press. I understand that legal proceedings have been commenced by one of the officers alluded to. It is, therefore, not proposed to allow any officer connected with the case at present to retire. With regard to the further question of the hon. Member, I must reserve within my own discretion to see anyone whom I may think necessary upon any subject in regard to which I have to answer in Parliament.

*MR. COBB: Am I to gather from the answer of the right hon. Gentleman that he has not personally seen any officer concerned?

*MR. E. STANHOPE: The hon. Gentleman is certainly not to gather anything of the sort from my answer.

POACHING.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a report in the *Cromer and North Walsham Post* of the 31st January last, of the prosecution before the Hon. H. Harbord and Mr. J. Shepheard of one William Laycock, on a charge of poaching in a plantation belonging to Lord Suffield at North Walsham, from which it appears that evidence was given by two witnesses proving that Laycock was not at the time alleged in the plantation, and that the Bench found the prisoner guilty, and inflicted a fine of £10 and £1 5s. costs; can he explain why, although the prisoner expressed his unwillingness to have the case settled by the Bench, and asked for a remand in order to bring further evidence to prove his innocence, the Bench refused his application; whether he is aware that there has been of late a considerable difficulty in getting the necessary quorum of Magistrates on the North Walsham Bench, resulting in delay and inconvenience to suitors and others concerned; and whether he will interfere to obtain the remission of the heavy fine inflicted upon Laycock?

MR. MATTHEWS: I have obtained a Report from the Justices on this case. Two witnesses were called to prove an *alibi*, but the Justices considered their evidence not inconsistent with the presence of the man in the plantation at the time of the offence. The defendant expressed no unwillingness to have the case settled by the Bench. After it had been decided he asked for an adjournment; but, according to the law, it was not then possible to grant it. I am informed that, as a rule, there has been no difficulty in obtaining a quorum of Justices at these Sessions. On two recent occasions, owing to the illness of two of the Justices and the absence of another, a delay of a few minutes occurred; but no public inconvenience has resulted. The case seems to me to have been clearly proved; and I cannot advise any interference with the sentence.

NATAL.

Sir GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether the Bill granting responsible Government to the Colony of Natal has received the Governor's assent; whether the Bill, which provides only one Chamber, contains provisions enabling the Colony to create a second Chamber in the future; whether any opportunity will be given to this House to discuss the details of the Bill; and whether special agreement has yet been come to by which the Colony undertakes, on the commencement of responsible Government, to provide for the defence of its own territories?

Baron H. de WORMS: The answer to the first paragraph of my hon. Friend's question is, No. The Bill will be reserved for the signification of the Queen's pleasure. Until the Bill has been received here, it will not be possible to make any definite statement as to its details. The details of the Bill cannot properly be discussed in this House, as the intervention of Parliament is not required. No final conclusion has been come to respecting the arrangements for the future defence of Natal.

THE LIMPOPO RIVER.

Sir GEORGE BADEN-POWELL: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have received any proposals to permanently improve the navigation of the Limpopo River; whether the right of free passage to the sea by that river has been reserved for the States or Colonies situated on its inland waters; and whether the Government are in possession of any recent surveys of the mouth of that river?

The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): It is not for Her Majesty's Government to receive proposals for the improvement of the navigation of this river, as they have no control over its navigable waters. If the Convention of the 20th of August had been ratified, the freedom of its navigation would have been secured by the 11th Article. The question whether Her Majesty's Government are in possession of any recent surveys should be addressed to the Admiralty.

IRISH NATIONAL SCHOOLS.

Mr. MAHONY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant a Return showing, as regards the National Schools in Ireland for the year ending March, 1890, the number of children on the rolls in each district on whose account no school fees were paid?

Mr. A. J. BALFOUR: I do not think it is necessary to supply a Return.

IRISH MAILS.

Mr. MAHONY: I beg to ask the Postmaster General whether he can state on how many occasions since Nov. 1st, 1890, the mail train timed to leave Kingsbridge, Dublin, at 7.40 a.m., has missed the train leaving Limerick Junction for Limerick at 10.20 a.m.; whether the result on all such occasions is to delay the delivery of letters and newspapers in Newcastle West, Abbeyfeale, Listowel, Tralee, Ennis, and other towns beyond Limerick by from five to seven hours; and whether he will consider the advisability of binding the Waterford and Limerick Railway Company to keep their train waiting at the Limerick Junction the same period that the Great Southern and Western are bound to keep their train at Kingsbridge for the arrival of the cross Channel Mails?

*Mr. RAIKES: I find that the failures referred to have occurred on eight occasions since the 1st November, with the result correctly described by the hon. Member. The Waterford and Limerick Railway Company do, when necessary, detain their train at Limerick Junction for the Mails from Dublin, but the detention is limited; and, in view of the exigencies of their traffic, the Company have refrained from binding themselves to maintain under all circumstances the connection between the two trains in question at Limerick Junction. I shall be glad to look into the question again if the hon. Member desires.

CASE OF THOMAS BLACK.

Mr. MAC NEILL (Donegal, S.): I beg to ask the Secretary of State for War whether his attention has been directed to the *Fermanagh Times* of 24th January, in which it is stated that Thomas Black, who is at present an inmate of the Enniskillen Workhouse, fought in the 21st Regiment (N. B. Fusiliers) all through the Crimean campaign; that, being frostbitten and paralysed before Sebastopol, he was sent home to Chatham Hospital, and subsequently discharged on a gratuity of 6d. per day, which was to last only for a year and a half; and that he subsequently rejoined the Army, and served all through the Indian Mutiny; and whether he will make inquiries into the accuracy of these statements, and will, if satisfied of their truth, take some steps to make a moderate provision for this veteran, and save him from the humiliation of spending his closing years in a workhouse?

*Mr. E. STANHOPE: Thomas Black served in the 21st Fusiliers in the Crimea for a period of seven months only. He was discharged as unfit for service, owing to paralysis following on fever, and was allowed a pension of 6d. a day pending recovery. On the 22nd July, 1857, his health being apparently completely restored, he enlisted in the Royal Artillery, and denied that he had ever served in the Army before. After 11 years he was discharged with a bad character. He was not eligible for a pension either on the ground of service or of character, and the Commissioners of Chelsea Hospital had repeatedly decided that no pension could be granted him.

ST. MICHAN'S CHURCH, DUBLIN.

Mr. MAC NEILL: I had intended to ask the Secretary to the Treasury whether his attention has been directed to a letter of the Rev. Thomas Long, M.A., Rector of St. Michan's Church, Dublin, appearing in the *Irish Times* of 16th January, 1891, stating that the tower of St. Michan's Church is in a dangerous condition and fast going to decay, but that the Ancient Monuments Board will do nothing for its repair unless the Church Body will consent to give up the use of this tower to them; whether he has seen a letter in the *Spectator* of the 29th November from Mr. W. G. S. Bagot, commenting on the defects of the administration of "The Ancient Monuments Protection Act, 1882," and stating that out of a sum of £150 voted by Parliament for the year 1889-90, for the preservation of ancient monuments in Ireland, only £1 7s. 6d. was actually spent on them, the balance going back to the Treasury; and whether he will take some step, either by the amendment of the law or otherwise, so as to prevent the tower of St. Michan's Church, which was built in 1036, and is from its historic associations one of the most interesting structures in Ireland, from falling into ruin from want of funds for its repair, when moneys voted by Parliament for the preservation of ancient buildings are actually paid back to the Treasury? At the request of the right hon. Gentleman I will postpone the question.

NOTE ISSUES IN IRELAND.

Mr. FLYNN (Cork, N.): I beg to ask the Chancellor of the Exchequer whether, in view of the contemplated alteration of note issues in England, he will consider the question of note issues in Ireland, and endeavour to remedy the inequalities which prevail there between the banks by extending the issuing power of those banks of issue whose business has outgrown the limit of their original authorisation; and whether he will confer upon those banks of non-issue such powers of issue as their capital and reserve would warrant?

Mr. GOSCHEN: In reply to the question of the hon. Gentleman, I do not propose to take in hand the question of note issues in Ireland; but I am bound, in frankness, to add that I do not think that I should in any case be disposed to increase the issuing power of the existing banks of issue, or to confer powers of issue on non-issuing banks, unless, indeed, the whole system of these note-issues by private banks were re-cast and placed under new conditions.

Mr. FLYNN: May I ask whether the right hon. Gentleman is aware that the National Bank of Ireland and the northern banks issue twice the amount they are authorised to issue, while the Bank of Ireland issues more than one million pounds less?

Mr. GOSCHEN: I am prepared to receive any information on the subject; but I must repeat that I am against the principle of extending the issuing powers of private banks except under new conditions.

IRISH DISTRESS.

Mr. MORROGH (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the great distress at present existing in the districts surrounding Tracton, County Cork, he could see his way to give relief by issuing instructions to the Board of Works or the Local Authorities to immediately proceed to complete the road from Minane Bridge, through Gurtygrenane, to Glownroe; and is he aware that this work will be rendered necessary on account of the new bridge about to be erected over the Minane River at Ringabella, and therefore may be classed as a useful and reproductive work?

Mr. A. J. BALFOUR: I am unable to give any directions of the kind required.

Mr. KILBRIDE (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps have been taken for the relief of distress along the seaboard from Cahirciveen to Kenmare; whether he is aware that a deputation of 300 labourers from the Ballinskelligs district, a locality remote from the facilities of the railway works, waited on the Cahirciveen Board of Guardians to demand work or relief; and whether the attention of the Government has been directed to the advisability of constructing a pier at Ballinskelligs which would give employment to the starving people of the district, and tend to develop the local fishery?

Mr. A. J. BALFOUR: Careful attention is being given to the condition of the district referred to. The hon. Member is not, perhaps, aware that relief works are in progress in the district.

Mr. MORROGH: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received resolutions passed by a large and representative meeting held in Bandon on the 10th instant, which meeting was presided over by the Chairman of the Town Commissioners, and attended by the Dean of Cork and several clergymen of different denominations; and whether, in view of the present and further apprehended distress, as set forth in the resolutions, he will give immediate attention to the requests contained in the said resolutions?

Mr. A. J. BALFOUR: I must ask the hon. Gentleman to defer the question until to-morrow.

Colonel NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenent of Ireland what works under the Relief of Distress Act are now proceeding in the County of Galway; and, particularly, can he state if any works are in progress in the baronies of Clare, Dunmore, and Ballymoe?

Mr. A. J. BALFOUR: Relief works are in progress in the following Electoral Divisions of Clifden Union:—Ballynakill, Renoyle, Innishboffin, Bunowen, Roundstone, Skannive, and Knockboy; about 950 labourers were employed on the various works in these Divisions on the 7th inst. In the Outerarde Union there are works in progress in the Electoral Divisions of Lettermore, Gorninna, and Crumpour, and on the 7th inst. about 2,450 labourers were employed on these works. In the Galway portion of Ballinrobe Union there are works in the Divisions of Owenbrin and Ballinchalla, affording employment to about 250 labourers on the 7th inst. In the Galway Union work has been commenced on the Cloosh Road and Arran Island, but the Returns are not complete as to the amount of labour. Works are about to be commenced in the Tuam Union, which embraces the entire of Dunmore barony and portion of the barony of Clare. The question of the necessity for works in Ballymoe barony is under consideration. In addition to above works, the Galway and Clifden Railway affords employment to from 800 to 1,000 people.

IRISH CATTLE.

Mr. SHEEHY (Galway, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the malignant epidemic which broke out amongst the cattle belonging to the people in the village of Killeeneen, Oranmore, County Galway, still continues and threatens ruin to the people; what was the nature of the remedies suggested by the veterinary surgeons who investigated the matter by order of the Local Government Board; and what further steps, if any, the Government purpose taking to stamp out the epidemic?

Mr. A. J. BALFOUR: It is the case that during the second half of the year 1890 several outbreaks of disease among cattle and other animals in the village of Killeeneen, County Galway, were reported. A Government Veterinary Inspector was at once sent to investigate the matter, and to render the Local Authority (the Gortin Board of Guardians) every possible assistance. At his suggestion special regulations were made by the Local Authority restricting the movement of affected or suspected animals, and of animals in contact therewith; providing for the cleansing and disinfection of the places in which affected animals had been kept, and of utensils, &c., used for or about such animals, and also for the proper disposal of carcases; and the Royal Irish Constabulary were communicated with, in order that they might co-operate in carrying out these provisions. These provisions appear to have had the desired effect. No information has reached the Veterinary Department of the continuance of any malignant disease amongst cattle in that district, beyond a Report just received from the Royal Irish Constabulary that one cow has been reported to them by its owner as being affected with some disease. The Veterinary Department are inquiring into this case.

LAND PURCHASE IN IRELAND.

Mr. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the tenants of Mr. James M'Farlane, on the townlands of Breenagh and Meenitinny, near Letterkenny, agreed with their landlord, on 20th December, 1887, to purchase their holdings at 15 years' purchase, all arrears being wiped out, that the necessary documents were signed and lodged with the Land Commissioners, and notification made to the tenants that the purchase money would be advanced on 20th June, 1890; whether, within the last month, notice has been given to the tenants by the Land Commissioners that the original decision has been rescinded on account of the delay on the part of the landlord to accept the purchase money offered; and whether the landlord has recently served ejectment notices?

Mr. A. J. BALFOUR: The Irish Land Commissioners report that the facts are substantially as stated in the first paragraph of this question. The Commissioners have not rescinded the original decision. They have notified the tenants that the matter of the proposed sale will come on for hearing on the 17th inst. The landlord has not, I am informed, issued ejectment notices against any of the tenants who are in treaty to purchase.

ARRESTS AT CASTLEREA.

Mr. O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. Crane, of Fairymount, County Roscommon, who was in a delicate state of health, having a baby only a few weeks old, was arrested at 1 o'clock in the morning, and brought to Castlerea; and if he can explain why her request to be allowed to go into Castlerea next morning, and have her husband accompany her, was refused by the police?

Mr. A. J. BALFOUR: The statement contained in the first part of the question appears to be correct, but no complaint was made of the woman being in a delicate state of health. The allegation contained in the last paragraph is not correct.

In reply to Mr. Sexton (Belfast, W.),

Mr. A. J. BALFOUR said: I have not before me a full list of the persons against whom summonses have been issued before warrants were issued against them. I have, however, evidence to show that there was a conspiracy to evade giving evidence. The whole justification for arrest is that the persons arrested show a desire to evade the police.

Mr. SEXTON: Could not the arrest have been made before bedtime or in the morning, and not in the middle of the night?

Mr. A. J. BALFOUR: If the woman had been arrested before bedtime she would have been kept in custody all night. That inconvenience was avoided.

ENNISKILLEN BARRACKS.

Mr. JORDAN (Clare, W.): I beg to ask the Secretary of State for War if Lord Wolseley's predecessor in Ireland, Prince Edward of Saxe Weimar, also reported on the Enniskillen Military Barracks and the future disposition of troops and headquarters there; if that Report differed from that of Lord Wolseley; if so, in what respects; and will he lay the Report of Prince Edward upon the Table of the House?

*Mr. E. STANHOPE: The Reports of Prince Edward of Saxe Weimar and of Lord Wolseley are equally confidential, and I cannot undertake to lay them on the Table.

IRISH LAND COMMISSION.

Mr. LEA (Londonderry, S): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if a Return will be given with regard to the Irish Land Commission in the form now placed on the Paper?

Mr. A. J. BALFOUR: I shall be glad to give the Return asked for, with certain alterations. The Land Commissioners propose the following:—

	Name.
	Date of original appointment.
	Age.
	Residence.
	Where educated.
	Previous profession.
	Acreage of land farmed.
	Whether held as owner or tenant.
	What other experience in agriculture.
	What experience in valuing, mapping, and surveying.

THE DEBATE ON MR. MORLEY'S MOTION.

Mr. J. M'CARTHY (Londonderry): I wish to ask the First Lord of the Treasury, with reference to the Resolution which stands in the right hon. Gentleman's name on the Paper, whether it is the intention of the Government to force to a conclusion to-night the important Debate on the Motion of the right hon. Member for Newcastle (Mr. J. Morley)? There is no desire to protract the Debate unduly; but I wish to know, in case it should become apparent that a great number of Irish Members wish to take part in it, whether the Government really intend to crush the discussion into one night, and to carry it on into an hour when there will be no chance of the speeches being adequately reported?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): The course which I propose to adopt was decided on after an endeavour had been made to ascertain the general feeling on both sides of the House. I have been informed, from sources on which I rely, and on which I think hon. Members opposite rely also, that it is the desire of the House that the Debate should conclude to-night, and that it would be convenient to adopt the Motion I have placed upon the Paper. I should be exceedingly sorry to be supposed capable of crushing Debate. To do that is far from being my wish. I trust that the understanding which has been come to with regard to the termination of the Debate will be observed, as it will tend greatly to the convenience of hon. Members who have been summoned from different parts of the Kingdom, including Ireland, to take part in the Division to-night.

Mr. SEXTON: The right hon. Gentleman has not answered the question put to him. My hon. Friend the Member for Derry (Mr. J. M'Carthy) wants a more definite answer. He wants to know whether, if the Motion of the First Lord of the Treasury is carried, the Government will insist upon closing the Debate to-night? Upon the reply given to that question depends the attitude of many Members towards the right hon. Gentleman's Motion.

No answer having been given,

MR. SEXTON repeated the question. I wish to know, he said, whether, if the right hon. Gentleman's Motion is adopted, the Government intend in all circumstances to force the Debate to a conclusion to-night; or whether, if at a reasonable time after midnight there should appear to be a desire to continue the Debate, they will agree to adjourn it?

*MR. W. H. SMITH: It would be exceedingly inconvenient to depart from the understanding that has been arrived at. It is the duty of the Government, and in a measure the duty of the Opposition also, to arrange a Debate with reference to the convenience of hon. Members on both sides of the House; and unless an understanding, such as has been arrived at in the present case, were fairly observed—I do not ask more than that—the difficulties of conducting business in this House would be enormously increased. It will be the duty of the Chief Secretary to reply on the whole Debate, and if the discussion is protracted beyond to-night, when would the right hon. Gentleman be able to reply? Until his reply is delivered the Debate will be left in an unsatisfactory state. The understanding that has been arrived at has been mentioned more than once with a view to give full notice of it to all hon. Members, and arrangements have been made to secure the attendance of hon. Members from all parts of the country. I think it would hardly further the interests which the hon. Member has at heart to prolong the Debate beyond to-night.

THE COURSE OF BUSINESS ON FRIDAY LAST.

*MR. F. S. STEVENSON (Suffolk, Eye): It will be in the recollection of the House that on Friday night, after the Resolution of the First Commissioner of Works had been agreed to, the Government, instead of setting up Supply again, as is usual in the circumstances of the case, proceeded at once to the Orders of the Day. On May 16, 1890, a similar occurrence took place, and the effect was to shut out a Motion standing in the name of the hon. Member for Woolwich (Colonel Hughes). The Amendment to the Motion for going into Supply standing second on the Paper on Friday night was a Resolution of which I had given notice, in order to call attention to the position of affairs in Armenia, and to elicit explanations as to matters disclosed in Parliamentary Papers recently presented. When the time came for me to move my Resolution I was in my place ready to rise, and the hon. Member for Aberdeen (Mr. Bryce), the Member for Stoke-upon-Trent (Mr. L. Gower), the hon. Baronet the Member for the Berwick Division of Northumberland (Sir E. Grey), and other hon. Members who intended to speak were present. The subject, however, could not be brought on in consequence of the action of the Financial Secretary to the Treasury, who failed to set up Supply again. In the interests of private Members I wish to ask the Speaker whether Supply ought not, in the circumstances, to have been set up?

*MR. SPEAKER: The cases mentioned by the hon. Member are not exactly similar, for on May 16, 1890, the Motion "That I do now leave the Chair" was withdrawn, whilst on Friday last the Motion was superseded by the Amendment which was carried. Having pointed out that distinction between the cases, I have to say that it is not a matter of imperative obligation on the Government to re-set up Supply when the Motion "That I do now leave the Chair" has been superseded by the acceptance of an Amendment, but it is a matter for the discretion of the Government. I am bound, however, to say that when the Government refrain from setting up Supply again they generally so exercise their discretion at a later hour than half-past 7. Of course, half-past 7 is a very early hour at which to terminate the proceedings of this House; and, I must say I was surprised that the Motion "That I do now leave the Chair" was not set up again—so much so that the hon. Member will recollect that when the Motion was made that Supply be taken on Monday I called upon the hon. Member and said, "Is this with the hon. Member's consent?" Owing, perhaps, to some misapprehension of my question on the part of the hon. Member I did not obtain a reply, and I was therefore compelled to say again, "Supply—Monday." But the point is one which must be settled according to the discretion of the House and Government, and I could not interfere.

SIR W. HARCOURT (Derby): I think that the omission to set Supply up again was probably due to inadvertence; but I ask for an assurance from the First Lord of the Treasury that in future private Members will not be prevented, as they were on Friday night, at so early an hour as 7.30., from drawing attention to subjects in which they are interested.

*MR. W. H. SMITH: Undoubtedly there was some inadvertence in the course which was taken on Friday; but if the hon. Member opposite (Mr. Stevenson) had expressed a desire to proceed with his Resolution the Financial Secretary to the Treasury would certainly have set up Supply again. My right hon. Friend, however, was under the impression that the hon. Member did not intend to persevere with his Motion. I assure the House that it is the desire of the Government to give every reasonable and fair opportunity to private Members. As has been said, however, it is not an invariable rule that Supply should be set up again; the Government can use their discretion in the matter.

*MR. F. S. STEVENSON: May I explain that I rose on Friday to ask the Speaker's opinion on the course adopted by the Government. If I had been able to bring my Resolution forward more than a quorum of Members would have remained in the House.

*MR. SPEAKER: No doubt the hon. Member did rise on Friday, but it was not until after the Orders of the Day on the Paper had already been reached.

ELECTORS REGISTRATION BILL.

MR. T. M. HEALY (Longford, N.): Is it intended to get Mr. Speaker out of the Chair to-night on the Electors Registration Bill?

*MR. RITCHIE: No, Sir.

MR. T. M. HEALY: Is it intended to make any progress with the Bill before Easter?

*MR. RITCHIE: That must depend upon circumstances.

In reply to a question by Mr. COBB,

*MR. RITCHIE said: The Government are prepared to consider any feasible amendment of the Bill; but I do not think that a proposal to make the County Council register come into

force at the same time as the Parliamentary register at present does would be a feasible one.

NEW MEMBER SWORN.

Moses Philip Manfield, esquire, for the Borough of Northampton.

PUBLIC WORKS AND REPAIRS (CONTRACTS).

Return ordered—

"Of the Conditions of the new Contract of Her Majesty's Office of Works, for Works and Repairs in the London District." — (*Mr. Labouchere.*)

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Ordered, That the proceedings on the Motion relating to the Administration of Law (Ireland), if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House."—(*Mr. William Henry Smith.*)

MOTION.

ADMINISTRATION OF LAW (IRELAND).

RESOLUTION.

(5.33.) MR. J. MORLEY (Newcastle-upon-Tyne): I have seen it stated in certain quarters that the Motion which I have the honour to introduce is a Motion which events have put practically out of date. I have been 11 years in the House, and during that time I have not been accustomed to bring forward Motions against coercion, though I have been in the habit of making protests against coercion in one form or another. But I can recall no occasion when my protest against coercion was more entirely in season than it is to-day. My Motion can hardly be considered out of date when it is remembered that only three or four nights ago there passed within a few yards of this House on their way to an Irish prison two Members of this House, who certainly do not stand lowest either in influence or esteem either in or out of the House. I have, however, no intention to-night of going into the question of the administration of the law generally in Ireland; I rather propose to confine myself almost entirely to certain affairs and proceedings in connection with the prosecutions in Tipperary which ended in the imprisonment of two hon. Members of this House and several other persons. I am afraid that I shall not be able to compress my remarks into so reasonable a compass as I could desire. We were all amused this morning by the circulation of a Bill relating to the length of speeches in this House, containing clauses of a very drastic character, and, among other things, providing that when the speech of a Privy Councillor reaches half an hour, the Clerk at the Table shall sound a bell, just as is done at a Diocesan Conference. Fortunately for me, but, perhaps, less fortunately for the House, this clause has not yet become the law of the land, but I shall try to compress what I have to say into the smallest possible compass. I shall assume on the part of Members of this House a very considerable amount of common knowledge with reference to the affairs in Tipperary. On the 17th of September last year warrants were signed and proceedings taken against four Members of this House and eight other persons for conspiracy and intimidation in connection with the property of the hon. Member for South Hunts. The hearing of that case began on the 25th of September. On that day I chanced to be in Ireland, and I, with two other hon. Members of this House —English Members—made it our business—it was not by accident—to be present at the hearing of the case, and I do not expect that the Chief Secretary or any one else can complain that a Member of this Parliament, which passed a perpetual Coercion Law for Ireland, should feel it within his right and duty to watch the working of that tremendous engine placed in the hands of the right hon. Gentleman. With regard to the conduct of the police, before I state what I saw may I be allowed to say that my attitude to the Irish police since 1886, down to September last year, has never been an attitude of hostile criticism? The right hon. Gentleman himself has done me the justice to say that I have been careful not to make attacks on the Royal Irish Constabulary for what they may have done in the performance of their duty. I am not in that respect like the hon. Member who moves the Amendment, and who, when I was attacked in 1886 for supporting the police, made an attempt to discredit and disparage them. I have never done that. I have always made full allowances for the difficult position in which the Royal Irish Constabulary are placed. But that is no reason why I should not describe what I saw when I consider that a great abuse has taken place in my own presence. I am not on that account open to a charge of inconsistency because hitherto I have always stood up for the Irish Constabulary. I would not on this occasion say a word against them had I not been absolutely forced to do so. What I saw in Tipperary opened my eyes to the pitch of demoralisation, incompetency, brutality, and lawlessness to which the subordinate agents of the right hon. Gentleman have been brought by his system of standing up for everything they do, whether right or wrong, of crediting every statement they make and discrediting every statement in contradiction, and of refusing any inquiry into their conduct, no matter how strong the case for inquiry may be. I had not been ten minutes in Tipperary before experience showed me that, in spite of what the Chief Secretary has a thousand times said, cheering and booing are regarded as offences by his agents in Ireland and are made the pretext for dispersing a crowd. I had not been ten minutes in Tipperary before a perfectly harmless and not very numerous crowd was charged and dispersed without any cause whatever. They had assembled to see certain prisoners pass in charge of an escort. The escort had passed, and it was after that that Colonel Caddell, who was the officer in charge, ordered the crowd to be dispersed. They began to cheer some of us and to groan at some other persons. There was not anything else. Colonel Caddell got into a paroxysm of agitation and apparent alarm. My hon. Friend the Member for Bradford will bear me out in what I say. Colonel Caddell began to cry out that it was a most disorderly and dangerous crowd, and ordered the street to be cleared, though the street was not blocked. Colonel Caddell, in his Report, has changed his mind upon that fact. In one letter which he sent to the papers —the first letter—he stated that the street was nearly blocked; in the second he said it was entirely blocked. But the "entire block" was an afterthought. The police charged the crowd, and I was myself hustled by a constable in a state of uncontrollable fury. I am told that I do not know the dangerous nature of a Tipperary crowd. Well, you have from Colonel Caddell's own mouth a perfectly easy way of estimating the exact danger to be apprehended from this crowd, because he says that the crowd was dispersed in two minutes by five constables. Whether five or 15, they used a violence which in England any Watch Committee would have visited by cashiering Colonel Caddell and every man of them. But that is less material than the second Act in this drama. The second act or scene took place at the entrance to the Court-house, where the trial was about to begin. But that act is of much less importance than the defence set up by the Chief Secretary. There certainly were a number of persons assembled, curious, I suppose, to see the proceedings against two of the most popular of their heroes. There was a crowd, but only about as large as I saw this afternoon near this House when driving into its precincts—such a crowd as you may see any time when there is some slack interest manifested in our proceedings. One would think it was a dense, vast, savage crowd, armed with blackthorns and with pockets full of explosives. It was a crowd which I should number at 50, but which Colonel Caddell does not put down at more than 100. It was as quiet, as harmless a crowd as I ever saw; and you had to keep them in order a large armed force both of constabulary and redcoats, which did not number less than two to one, and probably much more. The gates admitting to the Court-house were closed, but not to me. I was admitted, but they were closed to persons who had just as much legal right of admittance to the Court-house as I had or the police themselves. I say two things. I say, first, that it cannot be denied that whatever disturbance occurred was due to the closing of the gates contrary to the law; and I say, secondly, that no Englishman who was present will deny—and I do not except from this even the English officers who commanded the red coats—that the assertion by the persons at the gates—this handful of persons—of their lawful right to go into the Court-house was resisted by the constabulary under the order of their officer with a brutal, ferocious, unnecessary, and absolutely unprovoked violence, of which I should expect any disciplined force in the world would be thoroughly ashamed, and which I am bound to say that some of the constabulary seemed to be ashamed of and disgusted at. I am not going to inflict on the House the details of this brutality. It has been said that I have exaggerated the brutality; that I was unnerved by the sight of broken heads. Well, I was brought up in a surgery, and the sight of broken heads has no alarms for me. I have said in public what I have to say on this point. I have been prepared ever since the incident happened to attest everything I have said in the most solemn manner in which the English law allows me to do so. The right hon. Gentleman cannot deny that. ["Hear, hear!" *from* Mr. BALFOUR.] It is no fault of mine. ["Hear, hear!" *from* Mr. BALFOUR.] Does the right hon. Gentleman mean by that interruption that I did not go to Ireland in December—does he mean that I have shirked for a moment going into a Court of Justice and giving my evidence in a proper kind of way?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): No, Sir; what I meant was this—that the trial to which the right hon. Gentleman refers, and upon which he did go to Ireland to give evidence, was postponed, not at the instance of the Crown, but at the instance of the right hon. Gentleman's friends. The trial is to come on in March, and I am amazed that the right hon. Gentleman should refer to the question.

MR. J. MORLEY: The right hon. Gentleman forgets that the Judge who was presiding in the Court, at all events, thought the reason for postponement was an adequate one, otherwise he would not have allowed a postponement. Then what is the meaning of the right hon. Gentleman's gesture and interruption? I have from the beginning been willing to take any opportunity which the law allows to make good every assertion in detail which I have made. Now the right hon. Gentleman at Newcastle stated the issue in a way which I regard as perfectly fair. He said that the justification of the police does not turn on the degree of injuries inflicted, but on the character of the duties they had to perform, and on the circumstances in which they had to perform them. That is what the right hon. Gentleman described as the issue, and I accept it. Let us test the conduct of the officer in charge of the constabulary by the test which the right hon. Gentleman himself has laid down. In the first place, what is the law as incorporated in the right hon. Gentleman's own Coercion Act? In that Act the Petty Sessions (Ireland) Act, 1851, is incorporated, and one of the clauses of that Act is this—I call the attention of the House to this, because it is vital:—

> "In all cases of summary proceedings the place in which any Justice or Justices shall sit to hear and determine any complaint shall be deemed to be an open court, to which the public generally may have access so far as the same shall conveniently contain them."

What are the pleas brought forward by Colonel Caddell at various times and in divers places to excuse the closing of the gates of the Court-house and the exclusion of the persons who had a legal *primâ facie* title to go in? The first plea is that he had to keep room for witnesses. I went into the Court-house twice, with an interval between my two visits to the interior of the Court-house; and I say here what I said to Colonel Caddell on the spot—that on those occasions the space appropriated to the public was absolutely empty. No witnesses or other persons were there; the space was absolutely empty. The second plea is that stones were thrown. This was an afterthought. I can only say that I saw no stones thrown, that Colonel Caddell himself never mentioned that circumstance to me as a reason for excluding the people until he had changed his mind and admitted them, and then by way of apology he told me that a stone had been thrown. But that was an afterthought. The third plea was this: "How," says Colonel Caddell, "could I admit miscellaneous members of a mob, capable of throwing explosives, into the Court-house of Tipperary?" As far as these Tipperary explosives go, I have only one remark of a general kind to make, and that is, though we have heard a great deal about them, and though there is a museum of those explosives shown at Tipperary, as a matter of fact there is no proof at any time during those deplorable transactions of any injury done to life or limb or of injury to property which could not be met with the payment of a sovereign or two. What is to be thought of the argument that this Tipperary crowd was kept out of the Court-house because they might have explosives with them, when the effect, of course, of their throwing explosives would have been to destroy Mr. Dillon, Mr. O'Brien, and their own friends? What more irrational argument could be brought forward than that? But the Chief Secretary met this point in a very remarkable way indeed. Replying to me, he said, "Oh, well, about the explosives injuring the friends of those who were about to throw them, that was not the point. The point is that a crowd that will throw explosives is a crowd that may be trusted to do things not so bad as throwing explosives, but things which are bad enough to upset the dignity and procedure of a Court of Law, and to admit persons capable of actions like that would be a culpable breach of duty on the part of any police officer either in Ireland or England." The right hon. Gentleman does not know his own Coercion Act, because there again the Petty Sessions Act is incorporated. I should like to call attention to the 2nd sub-section, from which I have already quoted —

> "If any person shall wilfully insult any Justice or Justices so sitting, or shall commit any other contempt, it shall be lawful"

—not for the constables of their own accord to keep them out of Court—

> "for such Justices by verbal order to have the persons so offending removed, or to visit them with imprisonment or fine."

Let the House mark what is the attitude of this great partisan of law and order on this point. Though the statute says that if an insult is offered to the dignity and procedure of a Court of Law the Court itself shall punish it, the right hon. Gentleman says the point is this—that, in spite of the law, not the Magistrate is to punish acts which upset the dignity or interfere with the procedure, but the policeman outside is to determine before he admits any one whether he thinks the person claiming admission is likely to upset the dignity or procedure of the Court; and if he chooses, then of his own will and pleasure he may deprive that citizen of a right which is conferred by statute. First pass a Coercion Act, then your constabulary may play fast and loose with the provisions of it, and then the Chief Secretary says it would have been a breach of duty if they had not infringed the provisions of his own Act. There is one remark of the Chief Secretary which goes to prove the utter worthlessness of this plea about explosives and the exclusion of the crowd, and that is, that the whole of the crowd were actually admitted in spite of the stone-throwing, in spite of the suspicion of explosives, within four or five minutes of the cessation of the charging and batoning by the police—the whole of this dangerous and formidable crowd was admitted. It may be said that the constabulary made a blunder. It may be truly said also that the Chief Secretary made a maladroit defence, and it may be said that this excess of force and maladroit defence by Ministers may happen in any country. That is quite true, but when an excess of force has been exposed anywhere, except in Ireland, there is censure and there is redress. What was the redress in Ireland? Some persons who were injured by the charge of the police took proceedings against them, and this charge was heard before a Court of Petty Sessions. How was the Court composed? In the ordinary way that charge would have been heard by the ordinary Justices of the Peace, but on this occasion, contrary to practice, contrary to usage, no fewer than five Resident Magistrates swooped down on the Bench from Galway, Cork, and Mayo, and in effect packed that Bench. One of those Resident Magistrates took the chair, I understand—I am not sure about this—irregularly. At all events, there you have a packed Bench, a deliberately packed Bench—that is to say, a charge against the constabulary and against a Resident Magistrate was to be tried before a Bench mainly composed of gentlemen who had themselves been in charge of constabulary, and who were liable to be in charge of them again; it was heard by Resident Magistrates, to whose body belonged the person accused. There is not a lawyer in the House who will not say that the ruling of the Chairman, which was so extravagant as to justify my hon. Friend the Member for Longford in shaking the dust of the Court from his feet—that that ruling, excluding the evidence of certain photographs which had been taken, though he allowed that they might themselves be put in evidence, was entirely contrary to good law and to good procedure. I believe that cannot be denied. I said that if an excess of force were proved to have been used in England, there would be redress and censure. Has there been any censure? The Police Authorities took out counter summonses, against the persons whose heads they had broken, for riot and assault. They did not take summonses out in the ordinary way, before ordinary Justices, under the ordinary law. They were charges under the Coercion Act by the police, with Colonel Caddell at their head, to be tried by two Resident Magistrates, who were their brother officers in the same service. I hope that the House will realize that that in itself is a very remarkable thing. It has always been our boast in this country that we could not endure that abomination of centralised Governments — the *bureau administratif*—that is to say, a law by which an official of the State is always made responsible to the administrators of the State. But what is the difference between the *bureau administratif* in France and a case of this kind? There is no difference at all. But there was an extraordinary circumstance which prevented the hearing of these cases before a Coercion Court. The right hon. Gentleman the Chief Secretary went to the City of Newcastle, where he devoted a long speech to this subject. Of that long speech I do not complain, and I hope he will often make such speeches in Newcastle. If he had advised the people to whom he was speaking to suspend their judgment, if he had warned them not to take my story for gospel, and that of the hon. Gentleman the Member for Bradford, I should have had no kind of complaint to make against him. But he did not content himself with that. The right hon. Gentleman, though he was not an eyewitness, though he could only form his judgment upon the unsifted and the untested reports of his own agents and officers, though the case was pending before two Resident Magistrates dependent upon him, yet thought it worthy of himself to tell the public, and to convey to the two Resident Magistrates in his speech, that Colonel Caddell was the person who was to be believed, and that I and my friends were untrustworthy, partial and passionate, and not witnesses of good credence. It is true that he prefaced all this with a conventional remark to the effect that he believed we were incapable of deliberately misleading; but after this conventional compliment he proceeded to charge me—and this is the only personal point which I wish to intrude upon the House—with garbling, with deliberately suppressing passages of fact vital to the argument, with grossly misrepresenting what I had seen, with calumny, with unscrupulousness, and with misrepresentation and misquotation. I garbled nothing; I misrepresented nothing; I suppressed nothing; there was no calumny; there was no misquotation. I challenge the right hon. Gentleman here to-day to make good one single of these injurious charges, and if he cannot make them good, I respectfully invite him—for his own sake, not for mine—publicly to withdraw them. Two or three days afterwards the right hon. Gentleman, either himself awakened, or was perhaps awakened by the acute Gentleman who sits behind him—the hon. Member for Dover (Mr. G. Wyndham)—to the fact that he had perpetrated a most disastrous indiscretion, to give it a mild name. He was aroused to a sense of the scandal of leaving the case which he had so publicly and ostentatiously prejudged in the hands of two Resident Magistrates; and he was stricken with some sort of compunction, or remorse, or shame. After four or five days he altered the mode of procedure. He withdrew the charges against the police from the Coercion Court, and it was determined to send the case for trial, although even here it is worth noticing that the whole Bench consisted of five Resident Magistrates. I need not say more about what happened on that occasion. I have a good deal more to say on the conspiracy prosecution, but on the matter of the police I have no more to say on the present occasion. But there is one extraneous fact which occurred when I was in Ireland, which I have brought publicly before the notice of the right hon. Gentleman, and which also illustrates the illegal spirit with which the police seem to be animated, but to which the right hon. Gentleman has as yet attempted to make no answer. On the Sunday preceding the event which I have referred to, Mr. Dillon addressed his constituents at Swinford, in the County Mayo. The platform was surrounded by a force of troops and constabulary, and the fact that a Member of Parliament in Ireland should not be trusted to address his constituents without this great force is not a very satisfactory evidence of the efficacy of coercion in securing perfect tranquillity in Ireland. What happened? I have Mr. Dillon's own authority for this, which he told me two or three days afterwards in Ireland. Mr. Byrne, I think, the provisional Commissioner, went to Mr. Dillon, before or at the beginning of the meeting, and said to him, "If you say in your speech anything illegal, I shall use force to disperse the meeting." Will the House realise what that comes to? It amounts to this: A police officer is at liberty to go on to a platform and tell an Irish Member of Parliament that if he says anything which he, the police officer, chooses then and there to think illegal, he will disperse a perfectly innocent crowd with batons and, if necessary, with bullets. I invite the right hon. Gentleman to tell us whether he justifies and defends what the provisional Commissioner did, or whether he will pursue the easy, short, and usual way with us and say that there is not a word of truth in it. I will pass on to the great State trial—for it was really no less—which these prosecutions at Tipperary constituted. This was no ordinary case. It took the Crown three days to open the case, they had just upon 90 witnesses to prove it; the whole hearing—mostly occupied, I believe, by the Crown—took up 33 days; and the words and acts of a great number of persons extending, I think, over a year and a-half, were brought into question and into evidence. I remember very well, and I have no doubt that hon. Members also remember, the proceedings in "The Queen *v.* Parnell and others" in 1880. It exceeded those proceedings, I do not hesitate to say, both in scope and in magnitude. What happened then? If my memory serves me aright, that case was tried at the Bar of the Queen's Bench, which means that it was heard before a full Court of Judges. In order to secure fair play the jury were struck under the old system by special ballot. Most important of all, Chief Justice May refused to preside at the trial merely because he had used words on some previous occasion which might lead the public to suppose that he had a bias and was partial. Contrast that with the action of the right hon. Gentleman in putting Mr. Shannon on the Bench What I say now is that the case of the prosecutions at Tipperary in September, covering such ground, involving such issues, and involving so many nice, delicate and difficult points of law and evidence, was handed over, not to the Queen's Bench, or to a full Court, but to a couple of Resident Magistrates, one of them an ex-police officer—[an IRISH MEMBER: "Both"]—and the other a man who had qualified himself as an expert in the law sufficient to satisfy the Lord Lieutenant by eating dinners and being nominally called to the Bar. I will say this to the House—and I am speaking in the presence of those who passed the Coercion Act. When you passed that Act, even Gentlemen opposite, and even those on this side who helped them, never contemplated the withdrawal of a case of this immense importance and scope from the jury. The Coercion Act itself contains presumptive evidence that really important cases were to go to a jury; because provision is made for changing the venue, and for the composition of special juries. I say it was not the intention of Parliament that these important cases should be intrusted to a couple of Resident Magistrates, who should unite in themselves the functions of Judge and jury. I will do Gentlemen opposite the justice to say that when they realise all these things, they will admit, if party spirit will allow them to do it, that the sending of these cases to a Court of Resident Magistrates, without a jury, was contrary to the spirit even of that bad Act, and contrary to the intention even of this not very perfect House of Commons. I am not to-day going into any general criticism of the doctrine of the law of conspiracy. We have heard something of that in this Session already; and we shall hear a great deal more. I am not going into the question whether common action, even though it be inspired by common motives, is a criminal conspiracy. I will not question whether because you condemn boycotting ethically and politically, you ought to punish it even when the case charged is itself legally in the right. To-day it is enough for my purpose to found my case on the sound principle that the only protection against the doctrine of conspiracy becoming an instrument of intolerable tyranny is the intervention of a jury. Conspiracy is one of those matters where the mode of trial goes to the root of the offence, where the finding of a jury is the essence of proof whether the offences charged were criminal in their character and deserve punishment. Conspiracy only becomes a punishable offence when a jury finds that, under the circumstances of a given case, the acts proved were criminal and constituted a conspiracy. Because this is a sound and unchallenged doctrine in England, and because this has been set aside in Ireland, hon. Gentlemen opposite will find that there are tens of thousands of electors in England and Scotland, themselves law-abiding and law-respecting, who will laugh when they are asked to regard Mr. Dillon and Mr. O'Brien as criminals, and who will follow them to their gaols with undiminished esteem and undiminished respect. I dare say that the mover of the Amendment will refer me or make reference to some observations of the Chief Baron the other day in connection with an application for *habeas corpus* in the case of one of the persons convicted under these proceedings, and refer also to a Return moved for by myself. I am sure that an attempt will be made on the strength of those remarks of the Chief Baron to show that in his opinion substantial justice was done, though in an unconstitutional manner. I for one distrust and hate that expression "substantial justice;" it is a most slippery and hazardous phrase; it was always in the mouth of the Grand Inquisitor, I feel sure. No despot, no tribunal of public safety, was ever at a loss to cover over its violent and lawless acts by talking about "substantial justice." The law of England is substantial justice enough for me, and I say that it is an absurd contention, and strikes at the very foundation of our whole criminal procedure, that, because it is said by a Chief Baron that a jury might have come to the same conclusion and found the same verdict as the Resident Magistrates, therefore, forsooth, that is a good reason for depriving the person charged of the protection of a jury. But I want to make one other remark on that. I beg the House to remember this in the course of this Debate, that the Chief Baron in his remarks expressly declared that he would say nothing about Mr. Dillon and Mr. O'Brien, who were absent, and whose case it might possibly be necessary to pronounce an opinion upon at some future time. But supposing that it is contended, as it has been so often in Ireland, that you cannot trust a jury, then I submit this—and many hon. Members opposite must agree with me—when you were framing your coercion system, and imposing that system upon Ireland for all time, not merely to meet an emergency, but as a permanent instrument of Government, it was your duty, when you took powers to suspend jury trials at the good will and pleasure of the Executive Government, to supply some tolerable substitute. In Ireland, it is well-known, the Judges are not overworked. There are no public officers and no Judges in any country so little over-worked. Upon your own theory you were at least bound to provide some decently competent person to carry out these functions. I would beg, secondly, to remark that you ought not only to have put these functions in the hands of Judges, but also to have arranged the performance of the duties of those Judges by some system. There ought to have been some *rota*. What is the case now? I do not believe that a more dangerous invasion of constitutional right is possible than what was done by the Chief Secretary himself in this very case. What is this invasion of right? In Ireland it appears that the Executive Government is allowed to choose the person who shall in a particular case exercise judicial function, and that the right hon. Gentleman does exercise that right, and did it in this case. The right hon. Gentleman does not deny that he exercised that right himself on his own responsibility in appointing the two Resident Magistrates, because in his speech at Newcastle the right hon. Gentleman says he had been attacked because he had specially selected Mr. Irwin and Mr. Shannon to try this case. Sir, I think that selection is one of the most monstrous acts that even the right hon. Gentleman has been guilty of. Remember that it has not been denied that Mr. Shannon was mixed up with affairs that were pertinent to the prosecution; it is not denied that he was in charge of the police on the 25th of May last year at Tipperary, and that there was a sharp, angry conflict between him and Mr. Dillon and Mr. O'Brien and others; nor is it denied that he was in charge of the police again on the 27th of May at Cashel, when, I think, there was a personal collision, and that he presided at the trial in July, last year, in connection with the Tipperary business. On the 19th of June last Mr. Dillon moved the adjournment of the House, challenged in a direct way the conduct of Mr. Shannon in these matters, and invited the House to record its censure upon Mr. Shannon for what he had done at Cashel and at Tipperary. Now, let the House realise the facts. The right hon. Gentleman had the whole Bench of Resident Magistrates, some 70 or 80 in number, to choose from. There are in that body at least three or four gentlemen who do know something about law. But what does he do? The right hon. Gentleman chooses the one man in all Ireland who, I do not scruple to say—and if the voice of Party spirit were silenced in this House many hon. Members opposite would say the same—was the man who ought on no account to have adjudicated in this matter. I know that they will set up the trumpery plea that these matters of conflict were not produced in evidence. Yes, you might keep these matters out of the evidence, but how can you banish from the mind of Mr. Shannon the prepossession which these matters has introduced into his mind? How can you make him capable of a preternatural separation of the Mr. Shannon on the Bench and the Mr. Shannon in the field? Are you to pay no attention to the impression that is made upon the population by these things? I have never said a word against Mr. Shannon. Very likely it is true that Mr. Shannon did the best he could to do justice to the parties. But let us suppose my hon. and gallant Friend the Member for North Armagh (Colonel Saunderson), and the hon. Member for South Belfast (Mr. Johnston) were Resident Magistrates, what would be thought of the Chief Secretary appointing these two Gentlemen to try, say the hon. Member for North Longford (Mr. T. M. Healy), though I am sure that the Members would do their best to decide fairly any judicial matter in which the hon. Member for North Longford was concerned? I say deliberately that the selection of Mr. Shannon was nothing better than the prostitution of a tribunal. Then the right hon. Gentleman will resort—if I may judge from the line he has taken elsewhere—to his favourite implement the *tu quoque.* I am a tolerably old controversialist, and I have never myself thought that a *tu quoque* was illegitimate if you had no better argument. The right hon. Gentleman has never hitherto been able to transfix me with this particular missile. He thought that on this occasion he had done so, and displayed an amount of exultation, which I thought rather exuberant, but, considering the novelty and the surprise, I did not grudge it to him. What is the charge against the Chief Secretary? The charge is that he, on his own responsibility, deliberately selected a particular officer, having the whole Bench to choose from, to try individuals who had been involved in direct personal conflict with that officer in the discharge of his executive duty, who had carried on irritating altercations with him, and who had made themselves individually and personally obnoxious to him by inviting this House to censure his conduct. Is that on all fours with anything I did at Belfast? The Resident Magistrates at Belfast during the time of the riot did, no doubt, sit on the Bench, with the ordinary Justices of the Peace when persons were brought up before them who had been disturbers, and on some occasions when these two Resident Magistrates themselves had taken part in suppressing the disturbances. But did I tell these Resident Magistrates to try these rioters? No. The Resident Magistrates who were quartered in Belfast in the ordinary way sat on the Bench along with the ordinary Justices who administer the ordinary law, not because I told them, but in conformity with a fixed and invariable practice—a bad practice I admit—but in conformity, at all events, with a fixed and invariable practice, and in conformity with the jurisdiction and authority which are expressly conferred upon them by statute. There is another point of difference, a very remarkable one, that these two Resident Magistrates who sat along with the ordinary Justices, performing the duty of Petty Sessions Magistrates at Belfast, did not give the men six months' imprisonment in every case. Every serious case, if my memory is right—if my information is good—was sent for trial before the Assizes and a jury at Petty Sessions. Is there anybody in the House who can pretend not to see the difference in respect to impartiality of mind between a Magistrate towards a promiscuous batch of rioters with whom he might have been brought into collision, and the feeling towards particular and well known individuals against whom a Magistrate has a private grievance and a feeling of personal resentment? The worst that can be said in this matter is, that I did not go out of my way to interfere with the ordinary law for carrying on the proceedings at Petty Sessions. That being so, the right hon. Gentleman's *tu quoque* is misapplied and falls to the ground. The Mover of the Amendment asks the House to declare that—

> "The action of the Executive has been rendered imperative by the existence and activity of an illegal conspiracy directed against the civil rights of a large section of Her Majesty's subjects in Ireland, who have been subjected to cruel persecution and great loss in following their lawful callings."

No doubt the hon. Gentleman will tell us one of his usually long and anecdotal—but I admit interesting—stories; the same tale, no doubt, which he has told with brilliant success at Eccles, at Hartlepool, and for all I know, at Northampton. Well, not at Northampton. I invite the House to consider first what sort of evidence there is of the success of the policy of the Government. The Coercion Act has been in full, free, and active operation for over three years, yet the Government have still to cope with what the hon. Gentleman will describe and what the Government will contend is a conspiracy of unexampled audacity and intolerable wrong. But what is the use of hon. Gentlemen opposite trotting out figures as to the decline of boycotting, and as to the diminution in the Returns of outrages, in face of such an alleged fact as this? The more the mind of the House is affected by the sensational narrative with which the hon. Gentleman will regale us, the more you magnify the extent, the power, and the deadly effect of this conspiracy, the more clearly you set the stamp of failure on your policy. But a more remarkable question people will ask you is this: Why were these prosecutions, if they were to be instituted at all, so unaccountably long deferred? I invite the particular attention of the House to this. The conspiracy is alleged to have begun in May, 1889. The Crown Counsel, in opening the case, said the fire was lighted in June, 1889, by the arrival of Mr. O'Brien. Speeches, described by the Government as in the highest degree incendiary and inflammatory, were made all through the summer of 1889. The foundation, according to their own case, of alleged conspiracy was laid and strengthened all through the summer of 1889. All the evils and mischiefs of which the hon. Gentleman will presently tell us—boycotting, threatening notices, alleged shooting, alleged resort to explosives—all these things were in full swing in November and December, 1889, and if, as he says, it became at last, in September, the "imperative" duty of the Crown to protect Her Majesty's subjects against "the cruel persecution and great loss in following their lawful callings," why was it not their imperative duty before? Why did they regard it as their duty in September, 1890, if they neglected it all through 1889 and the first part of 1890? In December, 1889, Mr. O'Brien made a public boast of the peaceableness and legality of the movement. If the movement was not legal why did not the right hon. Gentleman at once proceed against Mr. O'Brien? Why was no attempt made all these six months to prosecute him—to prosecute all those engaged in these matters for conspiracy? Why was there no inquiry made under the Star Chamber clause? Why was there no prosecution for boycotting? I hope the House in listening to the statement of the right hon. Gentleman will be careful to mark his dates. The only excuse I have ever heard made or suggested for the action of the right hon. Gentleman after closing his eyes to all that was going on which he thought so audacious and atrocious—the only excuse for opening his eyes in September, 1890, was that he then found out that Mr. Dillon and Mr. O'Brien were going to set out for America on a campaign which would probably be very inconvenient for himself. If any hon. Member, or if the Government have any other explanation to offer, I shall be only too glad to hear it. In Ireland this was the only explanation that was suggested to my untutored mind. Another circumstance that may have influenced the Government was that the hon. Gentleman (Mr. T. W. Russell) went round Tipperary, more or less under the auspices of Mr. Shannon, and by his communications to the *Times* newspaper he spurred on the Government to action. If that is not so perhaps he will give us some explanation. This I suppose is probably the last occasion on which it will be my fortune to make a Motion against the coercive system of government in Ireland in the present Parliament. The noiseless foot of time is rapidly bringing the day near when Members of this Parliament will be called to a national account. In spite of pledges, freely and abundantly given, you pass a perpetual Coercion Act, and you passed most of its clauses without Debate, and I think even without Amendments being discussed in this House. Perhaps you hoped that the inherent badness of the Act would be partially, at any rate, redeemed by common sense, by prudence, by moderation, perhaps by some humanity, perhaps by scrupulous regard to justice and equity in its administration. That illusion, I think, must have vanished. Not the least astounding exhibition of the right hon. Gentleman's spirit we had the last time he addressed the House, when he menaced with his indignation and scorn any landlord who should make peace with his mutinous tenants.

MR. A. J. BALFOUR: Indeed, I did nothing of the sort.

MR. J. MORLEY: The right hon. Gentleman did not say that in the words I have used, but he said something which was more violent. He said that he would rather beg his bread——

MR. A. J. BALFOUR: Yes, go on.

MR. J. MORLEY:—than give in to the Plan of Campaign. ["Hear, hear!" *from* Mr. BALFOUR, *and cheers.*] Yes, you cheer that; you defend the attitude of the Chief Secretary; but the words I used in no respect differ—[*Cries of* "Oh!"] What is refusal to give way to the Plan of Campaign but a refusal to make peace with the tenants? ["Oh, oh!"] The right hon. Gentleman will, perhaps, explain the difference to the House when he speaks. But even though you cheer that defiant statement of the right hon. Gentleman, you well know that he was giving you a most unwelcome test of the wisdom, of the statesmanship, and of the conciliatoriness with which he has worked the tremendous engine that you have placed in his hands. I say I have shown you that this Act, which was passed, as I have said before, by a fraud on the constituencies, is being administered in a spirit which is a fraud upon Parliament. You may vote to-night—you will vote to-night—that you "rejoice," as the hon. Member will ask you to do, "in the successful vindication of the law," but your rejoicing will be brought in good time to a stern and prompt end when you have to explain to the constituencies of this country, who have the old love of freedom, yes, freedom according to law, freedom with juries—to explain to those constituencies that by vindication of the law you mean proceedings which would not be endured for a day nor an hour in England or in Scotland, and which are a hundred times more foolish and more intolerable in a country like Ireland, where the paramount object of policy by universal consent—I do not care whether you are for Home Rule or against Home Rule—where the paramount object of policy is by a rigorous impartiality gradually to efface that inveterate distrust of law and of the administration of the law which the corrupt and cruel partiality of ascendency government for all these long ages has burnt deep, and rightly burnt deep, into the soul of the Irish people.

Motion made, and Question proposed,

"That, in the opinion of this House, the action of the Irish Executive in connection with the recent prosecutions at Tipperary, and other proceedings, is calculated to bring the administration of the Law into contempt, and violates the civil and constitutional rights of Irish citizens."—(*Mr. J. Morley.*)

(5.47.) MR. T. W. RUSSELL (Tyrone, South): The right hon. Gentleman commenced his speech by announcing that, in order to save the time of the House, he would assume that a great deal was known about Tipperary. That was a very convenient assumption for the right hon. Gentleman, because it enabled him to commence in the month in which he arrived in Tipperary, as if the proceedings actually commenced with his arrival. Every hon. Member must, however, be aware that the proceedings did not commence with the right hon. Gentleman's arrival, and I will lay before the House a plain record of what was the cause of the prosecution at which the right hon. Gentleman assisted on the first day. Two years ago the town of Tipperary, with its 6,000 or 7,000 inhabitants, was one of the most prosperous towns in Ireland. It is the centre of a large and prosperous agricultural district; it is the centre for a great butter trade; the shops in the town are exceptionally good; the farms in the neighbourhood exceptionally large for Ireland. That was the state of the town when Mr. W. O'Brien invaded the place, and if anyone visits the town of Tipperary to-day he will come away with the impression that an avenging army has marched across it, leaving nothing but desolation behind. To use Mr. O'Brien's own words, in September, 1890, this combination has made of that prosperous town and district "a Sahara desert;" and in the Holborn Restaurant, on August 6, 1890, Mr. O'Brien declared that the estates in Tipperary were as "a wilderness sown with salt." Now I have told the House the condition in which Mr. W. O'Brien found the town, and I have given in his own words the condition to which he and his combination reduced the town, but I absolutely decline to waste the time of the House in discussing the cause of the quarrel. I will tell the House why. There is no person in Tipperary who has publicly declared that he has a grievance against Mr. Smith-Barry, his landlord. Mr. Smith-Barry has passed through the troublous years from 1879 to 1889 without having had a single dispute with his tenantry, and to appreciate this, look at what those troublous times were. If I wanted testimony to this I find it in the statement of Mr. Jeremiah O'Leary, the Chairman of the Town Commissioners of Clonakilty, one of Mr. Smith-Barry's tenants, and a member of the deputation which waited upon him here in London. Mr. O'Leary said that the "tenants considered Mr. Smith-Barry one of the kindest of landlords." There could be little complaint against Mr. Smith-Barry in the town, for the reason as hon.

Members below the Gangway know, that much of the town of Tipperary is let to middlemen at mere ground rents, and if the rents are high it is the middlemen who exact them, and not Mr. Smith-Barry. I say no man in Tipperary before this quarrel commenced ever declared he had a grievance against his landlord. But called upon by Mr. W. O'Brien to do so, the tenants on the estate proposed to help the Ponsonby tenants by a money subscription. They proposed to give the Ponsonby tenants a subscription, and to keep it out of Mr. Smith-Barry's rents. That was no benefit to Mr. Smith-Barry's tenants, and if their rents were high that plan of battle did not reduce them. The very *modus operandi* showed that these people had no grievance, and their charity was of the easy and vicarious character which I have described. Now, I refuse to discuss the reasons why the town has been ruined. Mr. Smith-Barry had an absolute legal and moral right to come to the assistance of Mr. Ponsonby, his friend in Cork. How did Mr. W. O'Brien and the other gentlemen proceed to carry out their conspiracy and to enforce their behests, reducing this smiling and prosperous place, as it was in 1889, to the condition of a Sahara desert? The right hon. Gentleman (Mr. Morley) has said the House will hear from me harrowing details of boycotting; but I am not going to give these details, though boycotting cannot be entirely left out of the case, because the Chief Baron alluded to it in his judgment. The House will bear in mind that these men—except Messrs. O'Brien and Dillon—were convicted of conspiracy to induce, not of incitement, to intimidation. The Chief Baron said there was clear evidence that boycotting was in fact resorted to by the parties to the conspiracy to prevent the payment of rents, and to punish those who had paid their rents—resorted to on the express directions of the parties to this conspiracy. The right hon. Gentleman says he was entitled to go to Tipperary to see the carrying out of the work of the engine which this House placed in the hands of the Chief Secretary. But the right hon. Gentleman had also the right to inquire into the work of this conspiracy. I do not deny the right hon. Gentleman's right to go to Tipperary and to demean himself by taking part in a faction fight. But when the right hon. Gentleman exercised that right he ought to have inquired into the work of this conspiracy, which was about to be placed on its trial. The right hon. Gentleman stood outside the doors of boycotted shops, on which the ban had been placed, and the owners of which were nearly ruined, and this Privy Councillor of the Queen, this man who has been Chief Secretary for Ireland, this great officer of State, never once crossed the threshold of a house to inquire what the effect of this foul conspiracy had been. The Chief Baron, in his judgment, tells us that this boycotting was carried out upon shopkeepers and farmers. These persons were surrounded by a cordon of pickets, were not allowed intercourse with others, and would-be customers were assailed. I take the case of Miss Hume, the daughter of the Presbyterian minister. That young lady came down from the Presbyterian Manse and ventured to cross the threshold of Mr. Rutherford, a member of her father's congregation. On coming out she was assailed. I put a question on the subject to the Chief Secretary, who said it was true. That young lady was assaulted on her way home, and that Presbyterian Manse has been under police protection ever since. Mr. Hume, a man who has gone in and out amongst his people in the town and neighbourhood for 25 years, walks the roads as I have seen him with a six-chambered revolver in his pocket. [*A laugh.*] Yes, hon. Members laugh at that, and I suppose the Nonconformist conscience will even tolerate it. I maintain that this was a conspiracy to induce people not to pay the rents they were entitled to pay and, taking the Chief Baron as my first witness, that this conspiracy was enforced by boycotting of the most cowardly character. The Chief Baron goes further. He declares in the second place that this conspiracy was carried out not alone by boycotting, but by violence, and I shall again read the Chief Baron's words. He said—

> "It is proved that violence was resorted to towards persons who had rendered themselves obnoxious, either by paying rent or by working for Mr. Smith-Barry."

Then two pages of the Judgment are

occupied with distinct cases that were proved, cases of assaults upon Mr. James Godfrey, Mr. J. Ryan, and Mr. O'Neil—two pages of the judgment of the Chief Baron, and he is not a Removable Magistrate. The Chief Baron is your favourite Judge whose judgments, when he decides in your favour, you hurl at the Treasury Bench. If the right hon. Gentleman asks me why these prosecutions were not undertaken earlier, I ask the same question. The only objection I have to the whole proceedings is that they were delayed so long. But I will give him a sample of the violence, and will give judicial authority for it. The right hon. Gentleman talks about these explosives in a way Mr. Dillon and Mr. W. O'Brien are in the habit of talking about them; but in November last a man named Thomas Kirwan was tried before Mr. Justice O'Brien and a Tipperary jury, and convicted of having thrown an explosive substance at the house of Mr. J. F. Duggan, in Tipperary. Mr. Justice O'Brien, after alluding to the offence of which the prisoner had been found guilty, said that—

> "A meeting had been held in the town a short time before, and the proximity of the two occurrences left no doubt on his mind as to their connection. That meeting was the cause of the prisoner's crime, but still more remarkable were its consequences. It appeared from the informations that immediately after the crime Mr. Duggan, the person against whose house the explosive was directed, served a notice to give up his land, for which, according to his own statement, in his information, he paid no less a sum than £1,500—a most extraordinary and eloquent example of the effect of crime upon public property. In no other part of the civilised world but that in which they were now living—a person would ask whether the man who pursued that course was a madman, or whether he possessed the ordinary courage and spirit of a madman—could a man be intimidated or persuaded to sacrifice his own interests and throw away his own property and that of his family for such a reason. Mr. Duggan, it appeared, had been subjected on various occasions to intimidation, and yet it appeared to him incredible that a person could, under the influence of any kind of terror, make such an extraordinary sacrifice of his own interest . . . and what was the extraordinary state of things that had resulted from that? A town destroyed—a town that was a model of prosperity and success. That prosperity and success were arrested as if smitten by the hand of God. The people passed that town as if it were a place of plague,"

and the right hon. Gentleman tried to pass it to-night—

> "people passed that town as if it were a place of plague, in order not to expose themselves to the violence and misconduct of men like the prisoner. All the prosperity of that town was destroyed, and the inhabitants leaving their homes as if after a siege. People were now transplanted from their lands as if by the power of a Cromwellian settlement, and all this state of strife and confusion was followed, as usual, by crime in its train. Crime brought up the train of public confusion and mischief, and behind crime were arranged the grim form of the law, the prison bars, and the dock in which the prisoner stood, where he was left naked and defenceless to meet the sword of justice."

And yet I am told there was no boycotting and no violence. I think the House of Commons will accept the testimony of Chief Baron Palles and Mr. Justice O'Brien on these questions rather than the testimony of the right hon. Gentleman who spent his three hours in Tipperary and then bolted by the first train. Now, I come to the question of the prosecutions. I know perfectly well there were politicians on both sides who thought these Tipperary prosecutions a mistake. That may be all very well from the standpoint of the Parliamentary game, but the Irish Executive have nothing to do, and ought to have nothing to do, with the Parliamentary game. The Irish Executive have no right to allow these people to be boycotted and ruined; they have no right to see this property destroyed; and they have no right to allow the offenders to go unpunished. My only fault with the prosecutions is that they were undertaken a little too late. I come to the riot, and I have been really astonished at what the right hon. Gentleman has left out with regard to the riot. When he delivered his vigorous speeches in the country, we heard a great deal about one Member of this House. I hope the hon. Member for Mid Tipperary (Mr. Harrison) is present. Speaking at Swindon, the right hon. Gentleman waxed eloquent in regard to the injury done the hon. Member. We have not heard a word about it to-night. We have heard nothing here about the gentleman described at Swindon as a "stripling." The right hon. Gentleman said at Swindon—

> "The third reason for this resort to batoning is that a certain Mr. Harrison, who is a young Oxford man just returned to Parliament for an Irish constituency, and whom, if he will not take offence at it, I should call a stripling, that this Harrison was, so says Colonel Caddell, with his single arm defying three strong Irish

constables to mortal combat. Truly the most wonderful thing in its way since David and Goliath."

We have an advantage which the right hon. Gentleman's Swindon audience had not; we can have the hon. Member for Mid Tipperary under view. The hon. Member had been to Tipperary before, and I want the House to listen to a very brief extract from a speech he delivered at a banquet on the 26th of May, 1890, in Tipperary. He said —

> "He came to that demonstration in Tipperary not exactly for ornamental purposes, and he had hoped that if there was a tussle he would have a place in the scrimmage."

A nice peaceful disposition, Mr. Speaker.

> "However, for some wise purpose," he continued, "that pleasure had been denied him."

I will tell him why it had been denied him. There was not a Privy Councillor present, or a fight would have been got up in his honour. Mr. Harrison went on to say that he

> "Hoped other opportunities would arise when he would not have to play the inglorious part he had played that day as a decoy duck."

The right hon. Gentleman has described what he saw in the Court-yard of Tipperary. Far be it from me to question one word of the right hon. Gentleman's description. I have not had much experience of rows, but I have seen several good rows at public meetings, and I have noticed that it is very hard for any single individual to carry away any fair idea of the whole transaction. One's mind gets intent upon a particular part of the battlefield at a particular moment, and no single man is in a position to give an accurate account of any row that ever took place. Whilst what the right hon. Gentleman said may be true, and no doubt is true from his standpoint, other witnesses are diametrically opposed to him. I will not summon the reporter of the *Scotsman* newspaper for example. The *Scotsman* is one of the greatest organs of public opinion in the world, and I am perfectly certain that the *Scotsman* sent one of its ablest men to Tipperary, and I am quite sure that the instructions he got were these: "Give us the facts; we can reason upon them for ourselves in Scotland." I will not quote the evidence of the *Scotsman*, but I will quote that of the *Cork Examiner*. I do not know on which side that paper is now. I do not know which Party it supports, or whether it supports any. [An hon. MEMBER: It does not support you.] That I am sure of; but at the time these events occurred in Tipperary it was one of the most influential organs of the hon. Member for Cork. Describing the fight in the Court-yard, about which the right hon. Gentleman was miraculously silent, so far as the hon. Member for Mid Tipperary was concerned, and, after all, he was the only man who was seriously injured — the *Cork Examiner* said—

> "Mr. Gill now went outside the gate, and was cuffed by a whole squad of policemen. They surrounded him, and were almost tearing the clothes off him, when Mr. Harrison came to his assistance. The hon. Gentleman was to his friend's aid in a second, and succeeded in warding off a blow by turning the policeman's wrist. Another who went for the young Member was made to feel the force of Mr. Harrison's left on his jaw. The policeman retired for a moment, and when the hon. Member was engaged with other policemen, the constable who had first attacked him struck him from behind and knocked him to the ground."

With all this the right hon. Gentleman is perfectly convinced of the innocence of the hon. Member for Tipperary. But in addition to being at Tipperary, the hon. Member for Mid Tipperary has been at Kilkenny, and at the famous meeting at Rathdowney the hon. Member for Cork introduced this innocent stripling, who was as David going out to meet Goliath, in these words:—

> "Now, my friends, let me introduce to you the Member for Mid Tipperary, Mr. Harrison, the only man who is able to fight the police, the only man who fought the police single-handed at New Tipperary, and choked three of them."

Mr. Speaker, I begin to understand now why Hamlet was left out of the play. I begin to understand—and the House will understand—why, when the right hon. Gentleman was giving his succinct narrative of the row in the Court-yard, the hon. Member for Tipperary (Mr. Harrison) and his doings were left discreetly out of sight. I now come to the proceedings themselves. The right hon. Gentleman has made a great case of the fact that these prisoners who were tried were deprived of a jury. That is a good charge against Parliament. It is not a good charge against the Irish Executive. If the Irish Executive find an Act of Parliament passed by this

House capable of dealing with this conspiracy, they have no right to wait until Parliament assents to a jury. It is their business to put the law into operation as it stands. All the right hon. Gentleman said about a jury would have been relevant if he had been assailing the action of this House, but not a word of it was relevant to a Resolution assailing the action of the Executive. As to the crowd outside, the right hon. Gentleman said there might have been 50 or 100 persons, but it was a small crowd. But that gets the right hon. Gentleman and his friends into a somewhat awkward position. Here was a great hero landing in Tipperary, and was this all the hubbub that could be got up? Does the right hon. Gentleman ask the House to believe that? It may be true; but, if so, it is the most wonderful thing that ever occurred in the history of Tipperary. From what the right hon. Gentleman said you would imagine that when the crowd arrived the Court had not been opened; but the fact is, that it was absolutely sitting in Petty Sessions hearing other cases, and I say that Court has as much right to protect itself as the Court of Queen's Bench has. Surely it is not against the law for the Magistrates and the Executive officer to take steps for the proper conduct of the Court-house? I maintain that it would be impossible to pack 200 people into the Court-house. You have 10 or 12 defendants, about 90 witnesses, the constables who maintain order, the two galleries, one filled by ladies and the other by the Press——

MR. J. REDMOND (Wexford, N.): I saw you among the ladies.

MR. T. W. RUSSELL: Yes, and what is more, the hon. Member tried to keep me there and failed.

MR. J. REDMOND: You ran away when I asked for a summons.

MR. T. W. RUSSELL: Colonel Caddell was responsible for order, and, in my opinion, had a perfect right to take into account the capabilities of the Court-house. He was the Executive officer in charge, and had a right to see that those who had business in the Court got in first of all. It was not fair of the right hon. Gentleman, with his great position, the master of these policemen in days gone by, who said to Resident Magistrates "Go," and they went, and "Do this," and they did it; it was not fair of the right hon. Gentleman to go down to this place and fling the influence of his great position into the scale in favour, as I hold, of disorder and uproar. I now come to the case of the Magistrates themselves. Who are they and what are they? You sneer at the law of these men and call them ex-police officers. Since the Crimes Act was passed Mr. Irwin has had a large share in its administration, and not one of his decisions has been reversed. That is a character for him in itself. As to Mr. Shannon, from all that is said of him, one would imagine he had been picked off the streets and sent to this work. The fact is, that he is the son of a most respectable citizen of Dublin. He had a brilliant University career, after which he entered the police, and greatly distinguished himself in that service in the most trying work. He is a man who has forgotten more law than many men below the Gangway who are posing as trained lawyers have ever learnt. It is said that he had previously come into conflict with Messrs. O'Brien and Dillon. But what Magistrate has not come in conflict with them? If that test is to be set up those two gentlemen cannot be tried at all. Mr. Shannon was judicial officer in Tipperary at the time, and the Government must have deliberately passed him over if they had appointed another man. Nothing in Mr. Shannon's past record would have entitled the Government to take any such step. The right hon. Gentleman hinted that another reason why Mr. Shannon should not have heard the case was that he had kept company with myself in Tipperary. Gentlemen below the Gangway were not ashamed to put that statement into an affidavit, sworn before Mr. Justice Holmes, scarcely a word of which was true. My connection with Mr. Shannon was of the simplest character. I went down to Tipperary on the 28th August on a tour with my family. I spent the whole day in Tipperary without speaking to a single human being connected with the administration of the law. I went there for the purpose of finding out the facts for myself. I went through your market and your new town, and I spoke to the boycotting people and those who were boycotted by them, but I never went near a single officer of the law. I stopped at the Limerick Junction Hotel, where Mr. Shannon also happened to be staying. Mr. Shannon arrived at 10 o'clock. At a quarter past 10 I and Mr. Shannon parted, although in the affidavit that was subsequently made it was sworn that we were closeted together for hours. It is true that I arranged with Mr. Shannon to introduce me to Colonel Caddell, and that accordingly the next day Mr. Shannon met me and took me to Colonel Caddell. I did not want to go away without getting at the official statement of facts. Colonel Caddell—not Mr. Shannon—it was who introduced me to the boycotted persons. The whole of my connection with Mr. Shannon consisted of a quarter of an hour's conversation at the hotel and being introduced by him to Colonel Caddell the next morning; yet out of this small matter an affidavit half a yard in length has been drawn up as to my relations with Mr. Shannon. Then as to the attack on the Magistrates who heard this case, never did two men display more patience, and, as Chief Baron Palles pointed out, they absolutely, in their extreme anxiety to be just, shut out evidence against the prisoners which they ought to have received. These are the men now charged with being one-sided and incapable of doing their duty. They gave the prisoners the benefit of the doubt, as they were bound to do, and yet they had been assailed as no "corner-boy" ought to be. What, according to the Judgment of Chief Baron Palles, is proved? First, that there was a conspiracy to ruin Mr. Smith-Barry (that was not denied by the right hon. Gentleman); secondly, that there were attempts to coerce, intimidate, and ruin, and otherwise injure those who refused to join in that conspiracy. On what ground does the right hon. Gentleman attempt to defend such proceedings? I am going to quote the right hon. Gentleman the Member for Mid Lothian; the quotation is an old one, and I do not know whether the right hon. Gentleman will disavow it. In 1866, when the right hon. Gentleman the Member for Mid Lothian was supporting the Government, not in sending men before a Court of Summary Jurisdiction, but in suspending the Habeas Corpus Act in Ireland—I quote from *Hansard*, volume 184 (Third Series), p. 1941—he said—

> "The maintenance of the peace and order of a country, the taking of due security for the tranquillity of those who desire only to obey the laws and to pursue their avocations in peace, is the first duty of the Government."

What Her Majesty's Government are now doing is nothing more nor less than securing

> "the tranquillity of those who desire only to obey the laws and to pursue their avocations in peace."

The right hon. Gentleman the Member for Newcastle has sat at the feet of the great master, John Stuart Mill, whose words he would scarcely repudiate, and what did Mill say?—

> "The only purpose for which power can be rightfully exercised over any member of a civilised community against his will is to prevent them doing harm to others."

Does the right hon. Gentleman agree with his master? That is what Her Majesty's Government are doing—endeavouring to prevent harm to others who would not join this illegal conspiracy. Her Majesty's Government said to the Irish tenants—"You have a right to combine, but you must combine within the law; you can refuse to pay rent, but you must not persecute other people who do so." Now, what is the result of this action on the part of the Irish Government? During the year 1888 there were 1,558 prosecutions under the Crimes Act. In 1890 that number had fallen to 530—a reduction of two-thirds. But that is not the extraordinary part of this Return. There are eight counties which have a population of 1,600,000, or something like one-third of the whole population of Ireland, which have an absolutely clean bill—they are Dublin, Kilkenny, King's, Westmeath, Wicklow, Antrim, Armagh, and Down. In this great population there was not a single prosecution during the year 1890. There are two other counties which have only one prosecution each, namely, Kildare and Meath. Five others have only five prosecutions each, namely, Louth, Queen's, Tyrone, Londonderry, and Sligo; but, unhappily, there are five other counties with a very different record. Tipperary, where this conspiracy is rife, has 80 prosecutions out of the 530; Cork, where the Plan of Campaign is in operation, in one corner of the county, there are 108; in Clare, which is in the hands of a Secret Society, there are 26; in Wexford, with the Plan of Campaign in operation, there are 20; and in Galway, with Lord Clanricarde's estate, there are 56. Those five counties contribute more than half of the total number of cases tried under the Coercion Act in Ireland in 1890. Now, let us take January, to which month the Return has been brought down. In that month in Leinster only one county is affected, the County of Longford. Munster is clean; Ulster would be clean but for Donegal, and Connaught has an entirely clean bill of health for that month. If the House wants to see the progress that has been made, let us take the year 1888. In the East Riding of Cork in that year there were 33 Crimes Courts held. In 1890 there were 29. In the West Riding there were 34 in 1888 and 9 in 1890; in Clare in 1888 there were 46 Crimes Courts, in 1890 only 8. In Kerry there were 41 of the Courts in 1888 and only 2 in 1890. In Limerick there were 27 Crimes Courts in 1888, and in 1890 only 5. I say that these figures are more eloquent as to the action of the Irish Executive than all the vituperation of the right hon. Gentleman against them. If I were to give another fact it would be as to what occurred at the last Winter Assizes. The House will hardly realise it, but it is nevertheless a fact that although agrarian cases and cases of murder were among those brought to justice, there was not during the whole of last Winter's Assize a single miscarriage of justice—not a single case in which the juries refused to do their duty; and why is this? It is because the jurors are rejoicing in something like freedom. It is because the tyranny of the village ruffian has been taken by the throat and strangled. It is because honest men now have a chance of doing their business in safety, and because juries are now enabled to do what they take an oath to do on behalf of the State. What, now, is the state of Tipperary? and I put this to hon. Members below the Gangway who have supported the crusade which has gone on in that county. The victims were formerly marked down for ruin; but they have not been left to their fate, and they are not ruined. A glorious sight was witnessed in that town yesterday fortnight—but I should say, first, that the first meeting of this conspiracy was held under the presidency of Father Power, Mr. O'Brien being present. Now, yesterday fortnight a Father Power—I suppose the same Father Power—officiated at Mass in one of the Tipperary chapels, and what did he say? He delivered a lecture to his people upon the Divine Law of love to one's neighbour as being the Supreme Law. He denounced boycotting in all its moods and tenses, and in these words, which I beg to quote, he closed his address to his people—

> "If the fight cannot be kept on unless by the wicked means of boycotting, punishment, and persecution of their neighbour, he asked them not to co-operate any longer in the work of the destruction of their town. Let them cease from causing pain and misery to their fellow-townsmen and townswomen by boycotting all those who meant to carry out their own opinions and feelings in this fight. If they continued to destroy their town, or rather what still remained of it to be destroyed, they would yet find leisure to repent their conduct; let them even now save the salvage from further wreck."

Boycotting has brought down that prosperous town, and the man who introduced it first, who has hounded on the people for months, now urges them to secure the salvage of the town. I find no fault with the words. I am sorry they are so late. Canon Cahill has used much the same language, and yet he and Father Power are, perhaps, more responsible for what has occurred in Tipperary than any other two men. When did these rev. gentlemen find out that it was the first Christian duty to love one's neighbour? Canon Cahill all through the troubles has behaved less like a minister of the Gospel of peace than like an ecclesiastical corner-boy. These rev. gentlemen now plead for peace and for "salvage." They have sought to ruin the hon. Member for South Hunts, but they have not ruined him; they have ruined their town and its merchants. They have made their religion a byeword and scoff throughout the country. Ministers of religion who for 18 months hounded on the people to boycott and to engage in a conspiracy now turn round and ask them to give it up.

MR. J. O'CONNOR (Tipperary, S.): Canon Cahill and Father Power never did anything of the kind.

MR. T. W. RUSSELL: By their conduct they had exposed their religion to scorn and obloquy. I believe that I have proved that the action of the Irish Executive is imperatively demanded to protect innocent people in the exercise of their rights as subjects of the Queen, and that the action of the Executive has been exercised in the interests of, and not against, real freedom. Why have I put my Amendment on the Paper? It would have been open to the House to negative the Resolution of the right hon. Member for Newcastle as it has negatived many of his Resolutions already; but I thought that the time had come for a different course of action, and that the House ought to make an actual affirmation in support of the Irish Executive. I am not here to deny the legitimate right of combination. The Irish farmers have as good a right to combine to secure a reduction of their rents as English labourers have to combine to secure an increase of wages. The Irish farmers, as a matter of fact, enjoy an infinitely better position, because practically they are partners in a going concern; but, whatever their rights are, they are rights within the law, not outside it. What is the issue to-night? The right hon. Gentleman the Member for Newcastle attacked the Irish Executive, but for what? For sending men to stand their trial, before a justly-constituted tribunal, for the offence of boycotting and conspiracy to promote the Plan of Campaign. What does the Resolution ask the House to do? To paralyse the arm of the law in its conflict with these evils, and to tie the hands of the Chief Secretary in this deadly encounter with the forces of disorder. Members of the Liberal Party may forget the history of that Party and its victories in the cause of freedom and of minorities. They may vote to-night against liberty because the liberty at stake is only that of a handful of boycotted citizens, but to them I do not appeal; I appeal to the House, and I ask the House not to forget the traditions of the English Parliament, and not to refuse for the first time to help those engaged in the struggle between law and lawlessness, between order and disorder

Amendment proposed,

To leave out all the words after the word "proceedings," in line 3, in order to insert the words "has been rendered imperative by the existence and activity of an illegal conspiracy directed against the civil rights of a large section of Her Majesty's subjects in Ireland who have been subjected to cruel persecution and great loss in following their lawful callings, and this House rejoices in the successful vindication of the Law at Tipperary and elsewhere, which has gone far to restore freedom to the individual in every part of Ireland,"—(*Mr. T. W. Russell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(6.54.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Mr. Speaker, as no Member of the Government has risen to address the House, I am anxious not to lose a moment after the speech of the hon. Member behind me in calling the attention of the House to the peculiar position in which it has been placed. It is a peculiar, and, as far as I know, an unexampled position. A Motion has been made of the gravest character. My right hon. Friend, who himself has held Cabinet Office in connection with the Government of Ireland, brings forward against Her Majesty's Government, and of course against the Secretary for Ireland in particular, a series of charges of at once the most formidable and the most definite character. The hon. Member behind me, acting either at the suggestion of the Government or with its evident approval, endeavours by an Amendment of which he gives notice entirely to prevent the discussion of the Motion of my right hon. Friend. [Mr. T. W. RUSSELL indicated dissent.] The hon. Member shakes his head, but I do not appeal to him for assent, but to the language of his Amendment, and I will support that appeal to the language of his Amendment by reference to the character of his speech. It is true, is it not, that the head and front of the speech of my right hon. Friend was the advancing of certain charges against Her Majesty's Government in regard to a particular set of proceedings in Ireland? It is true also that the Amendment which has been proposed sets aside entirely the whole subject of those charges, and it is true that the hon. Gentleman in the lengthened speech which he has delivered has not said one single word in relation to the accusations of my right hon. Friend. What I contend is this: that we are entitled to a discussion of those charges. Am I giving an untrue description of the speech of the hon. Member? What did it consist of? With his usual ability and his usual decision he made attacks upon the Nationalist Members from Ireland and upon certain Roman Catholic priests; he contended that the Plan of Campaign in general, and in particular as it had been exhibited at Tipperary, was illegal and was pernicious. [*Ministerial cheers.*] Just so; pray observe that this is entirely in support of my allegation. He contended that my right hon. Friend near me ought to have made inquiry into the origin of the difficulties of Tipperary instead of doing what he has done to-night. He said that he would find fault with the speech of my right hon. Friend for its omissions, and then he proceeded to descant upon certain portions of the proceedings in Tipperary which have not been touched by my right hon. Friend. And why were they not touched by him? I should be surprised if the same motive which governed my right hon. Friend did not occur to the acute mind of the hon. Member. My right hon. Friend refrained from touching upon these subjects because they are subjects which are still liable to become matters of judicial consideration.

Mr. T. W. RUSSELL: I beg pardon; the whole case is *sub judice.*

Mr. W. E. GLADSTONE: But the question is not whether my right hon. Friend was right in the matters which he omitted; the question is, was he right in the matters which he adduced? This is the first time in my recollection that when, by a gentleman occupying a position like that of my right hon. Friend, grave charges are brought against the Government, countenance is given by them to an Amendment which completely shifts the issue and evades a contest in which apparently they do not wish to engage. With respect to the Plan of Campaign, it is a most fit subject for discussion in the House. With respect to other matters the hon. Member has mentioned, he may be perfectly justified in bringing them forward; but he is not justified in bringing them forward for the purposes of giving the go-by to the Motion of my right hon. Friend, and preventing the discussion of a legitimate and constitutional Motion. What were the charges brought by my right hon. Friend? They bear upon most important questions connected with the rights of the subject in Ireland. It is necessary I should refer to them, after the deliberate attempt that has been made to shut them out from the view of the House. The first of these charges was that the act of cheering and booing was treated by the officers of the Executive Government, when it occurred alone, without any illegal or violent act, as justifying the use of violence and force against the people who indulged in it. Is that so, or is it not? The issue is not whether the matters introduced by the hon. Member in the Amendment are right or not; the issue is whether my right hon. Friend's Motion, which has been brought legitimately and in due form before the House, and the arguments by which it was supported are just? That they are has often been denied with indignation; and now we shall hear what is to be said on the other side when it pleases Her Majesty's Government to condescend to put up one of its Members to enter into these grave matters. The next of these charges is one of a still more grave character. It is that the people were shut out from the statutory right of entering a Court of Justice by the arbitrary action of Colonel Caddell. Is that a serious matter, or is it not? Do not tell me that he was acting under the orders of the Chief Secretary; that may be perfectly true; but his conduct has been adopted and justified by Her Majesty's Government; they have identified themselves with his proceedings. The hon. Member has referred to something in the nature of a disturbance which took place in Tipperary; but that was not at the time to which my right hon. Friend referred. The movement of the limited number of people whom he called a crowd—of course, you may apply that term to 50 or 100, and I believe 100 was the estimate of Colonel Caddell — towards the door of the Court-house was an orderly movement—a movement of pressure, of course — but a movement the character of which the hon. Gentleman has avoided the discussion of by referring to what took place among other people at a totally different time and in connection with totally different circumstances. Is that question—the access of the people of this country to the proceedings in a Court of Justice—a serious matter, or is it not? What amount of violence on the part of the people could justify their being excluded? The hon. Gentleman said that Colonel Caddell was bound to have regard to the capacity of the Court and the number of the people. Yes, Sir; but that was no argument for excluding them all. But when Colonel Caddell, apparently changing his mind, admitted them all, we have it on the evidence of my right hon. Friend, I think, delivered on a former occasion, that the number was not sufficient to fill the Court. Then we have the story of the explosives. The hon. Member justifies the exclusion of an orderly crowd, behaving legally, from an open Court of Justice by referring to the case in which a man was tried for throwing an explosive upon a former occasion, and, being tried, was found guilty.

MR. T. W. RUSSELL: I never referred to the case in connection with the hearing at Tipperary.

MR. W. E. GLADSTONE: I beg pardon; I was going to give the hon. Gentleman some credit. I was going to say it was the only reference of a tangible and intelligible kind. My right hon. Friend had pointed out that Colonel Caddell justified this arbitrary exclusion of the people from the Court-house by the allegation that they were the sort of people who might make use of explosives. When the hon. Gentleman used the word "explosives," why did he introduce it except in direct connection with the previous speech of my right hon. Friend? Are we to be told that because in a crowd somebody or other may use explosives, that crowd exhibiting at the time legal and peaceful behaviour, therefore it is in the power of an Executive officer, protected by Her Majesty's Government and by a majority of this House—is it to be in the power of a majority of this House to defeat the exercise of the statutory right of the people to have free access to a Court of Justice? What was the second charge of my right hon. Friend? I now refer to another proceeding, which, if it had occurred elsewhere, would shock the public mind and conscience. When charges were made against the police the Bench was packed with Resident Magistrates. Five Resident Magistrates, contrary to custom and to propriety—and, in the absence of precedent, I should be disposed to say contrary to decency—were brought together in a manner quite unusual to form a majority, as we are told, of the tribunal that was to try the charges against the police, these Resident Magistrates themselves being officers of the police and members of the body whose conduct was impugned. Is that a proceeding which will be approved by a majority of this House? It may be so; but whether it is to be affirmed or not, we have the right to demand that it be discussed when it is properly introduced into this House, and for that discussion I now plead and press. My right hon. Friend further said that the counter-charges of riot were brought under the Coercion Act. By being brought under that Act they could be summarily dealt with, while under the ordinary law they would have gone before a jury. What we complain of is that it appears to be the practice of the Government to bring everything that can possibly be drawn into it into the net of the Coercion Act? Why were not these charges to go before a jury? It was not because juries are not trustworthy, because the hon. Gentleman has told us, with creditable exultation, that during the late Winter Assizes in Ireland there was not a single jury in the country that failed to do its duty. Therefore, this is a charge against the Executive Government in Ireland which deserves to be met and discussed—that they by preference try under the Coercion Act accusations which, under the ordinary law, are tried in a different form; and the natural inference is that their action is animated by hatred of juries in Ireland, and, therefore, they resort to the summary jurisdiction of persons depending upon themselves. The charge is one that can be dealt with properly only by the Chief Secretary. He is in the habit of meeting the allegations of Irish Representatives by accepting wholesale the statements he receives from officials in Ireland. I admit it is his duty to set out with a disposition to accept what they tell him; but it is a very serious matter indeed to apply that principle, without sifting and inquiry, to allegations made by Members of this House and by an ex-Minister of the Crown, eye-witnesses of the facts, and such conduct is not likely to commend itself to the people of England and

Scotland. My right hon. Friend stakes his honour, his capacity, his precision upon what he says in his place in the House of Commons; and it is a novelty in our administration that because Colonel Caddell, or some other police officer, has given a different account, that is to be accepted as being true, and my right hon. Friend's declarations are to be treated as null and void. The hon. Member for South Tyrone did make one other reference to the speech of my right hon. Friend; he said he had made some definite statements, and there were other witnesses who had made other statements in newspapers quite incompatible with his; but the hon. Member went on to say he would not quote the evidence. I never heard a more futile remark than that the evidence of other witnesses was in conflict with the statement of my right hon. Friend, because he did not adduce a single rag or shred of evidence contradicting my right hon. Friend. It is strictly true; no contradiction whatever has been given to my right hon. Friend; and it was exceedingly indecorous of the Chief Secretary to charge my right hon. Friend, as it appears he did, with deliberate suppression, with garbling, with casuistry, and with misrepresentation. The right hon. Gentleman should be called upon to defend these statements in this House. With regard to the treatment of the subjects of the Queen in regard to access to the Court-house, and in relation to the right of public meeting, it is very important to remember that this is not the first time that Her Majesty's Government have been charged with invading and practically endeavouring to nullify and destroy the rights of public meeting. In a manner the most temperate and careful, the Member for East Mayo, during the last Session of Parliament, referred to three points, with respect to which he was a personal witness, in the treatment of public meetings in Ireland, and he put three distinct and definite questions to the Government with regard to them. One of those questions was, whether it was right or wrong that public meetings should be dispersed by charges of the constabulary without any previous notice or the commission of violence by those attending the meetings? The second was, whether it was right or wrong that in a place where there was a public meeting a group of gentlemen totally distinct from that public meeting should be made the subject of an order to the police to charge them and break up the group by violence? And the third was whether, after a meeting had been violently and illegally charged by the police acting under the orders of the Government, the persons constituting the meeting, while dispersing themselves in every direction, should be pursued by the police and punished with blows, after having committed no act of violence whatever, and while they were fugitives. These questions, when put formally by the Member for East Mayo, I endeavoured to press home; and I contend that in not one of them were we able to extract an answer from the Government, and therefore we must believe that these three forms of action are regarded by them as lawful and proper, and such as they intend to employ in carrying on the government of Ireland. Whether the hon. Member for South Tyrone is right or wrong in defending the proceedings in Tipperary —upon which I give no opinion—the rights of the people with regard to the proceedings in the Courts of Justice and public meetings are proper matter for discussion in this House, and it is our business to do our best to maintain and defend them. These matters, it appears to me, are serious enough, but that is not all. Here, again, we raise very fairly the question of trial by jury. My right hon. Friend contended that the proceedings taken by the right hon. Gentleman against the Member for East Mayo and several other parties were analogous in their legal character and scope to the proceedings taken by the Government with which I was associated in 1880 against the Member for Cork and others. We never dreamt at that time of bringing the Member for Cork within the sweep of summary jurisdiction; and it appears to me a matter of the gravest public mischief that questions of such difficulty should be habitually referred by the present Executive of Ireland to the lowest class of judicial officers without any extended legal knowledge, and generally wholly dependent on the right hon. Gentleman for the tenure of their offices, for promotion, and for the selection of duties. My right hon. Friend's charge against the Government is that here, again, we find a disposition to shut out, wherever it can, the action of the jury, which we know to be invaluable for the protection of the subject. And now I come to the last of the charges of my right hon. Friend, which, by the way, was not noticed, or hardly noticed, by the hon. Gentleman behind me. It was partially noticed by the hon. Gentleman, but he passed by the *gravamen* of the charge; he kept out of view the point to which my right hon. Friend addressed his censure. The broad statement is that the Chief Secretary for Ireland selected Mr. Irwin and Mr. Shannon for the trial of the case of the Member for East Mayo and others. The hon. Member entered into a defence of Mr. Irwin, and said that no judgment of Mr. Irwin under the Coercion Act had ever been reversed. I am very glad of that. I am not going to say a word against Mr. Irwin, and not a syllable was said against him by my right hon. Friend. Then the hon. Gentleman set forth in a moving manner the merits of Mr. Shannon. But the charge of my right hon. Friend was not against Mr. Shannon but against the Government for choosing him. I believe I heard the hon. Gentleman say that Mr. Shannon was unwilling to accept the office. I should be glad if that were so, but I confess it is very difficult to conceive how a man who holds a judicial as well as an executive office could enter into the trial of a case such as that against the Member for East Mayo. The charge distinctly lies against Her Majesty's Government that they selected out of the usual course for this particular purpose a gentleman with whom the Member for East Mayo had been a short time before engaged in sharp personal altercation. The *gravamen* of the charge is that there was absolutely no indisposition on the part of the Government to appoint a person whose appointment could not be viewed favourably with regard to the general administration of justice in Ireland. It would not be too much to say that it was an act essentially unfair in regard to the administration of justice to appoint such a person. In the course of time, notwithstanding the well-meant endeavour of the hon. Member to shut out these questions, I hope we shall hear what Her Majesty's Government have to say upon each and all of them. The hon. Member based the strength of his case upon the success of Her Majesty's Government. I do not think I should be doing justice to my right hon. Friend and the important allegations he has made against the Government were I to enter at large upon that question. The hon. Gentleman thinks it is a matter for immense congratulation that there were only 500 and odd proceedings under the Coercion Act.

MR. T. W. RUSSELL: Compared with another year.

MR. W. E. GLADSTONE: He thinks he mends the matter by showing that those who were content with this 500 and odd, two or three years ago, instituted 1,500 proceedings. What a great proof of success! One thing I must note—there has been a success; there has been a compulsory exclusion from this House of two of the ablest and most honourable of the Irish Members at a period when undoubtedly it will be felt that their country stood in special need of their services. That, I suppose, is held to be a great, a noble, and a superlative stroke—the closing of the prison-doors upon the Member for East Mayo and the Member for North-East Cork, and if the hon. Member had limited his Amendment to commending the ingenuity with which that had been arranged there might have been something to say for the argument. With respect to the general purposes of the right hon. Gentleman—and I refer to him not individually, but as a Member of the Government—for the Government are of course responsible for these proceedings, the whole of the Government are identified with the proceedings of the right hon. Gentleman—with regard to the right hon. Gentleman's general purposes, for my part I do not see the signs of the success that is alleged. The purpose of the Coercion Act, as we were told, was to put an end to agrarian combinations. The success of those agrarian combinations depends entirely upon whether the farms from which the tenants have been evicted are occupied by responsible tenants or not. It is quite evident that for four years it has been in the power of the Government, if there were this success, to prove it to us by the production of Returns which they could produce with far greater ease, certainty, and credit than those elastic Returns with regard to the number of boycotted persons, into the composition of which individual preferences might largely enter. All particulars have been carefully avoided by the Government on the subject, and the only conclusion at which we can arrive is that these farms are either entirely derelict, with possibly an exception here and there, or else simply used for pasturage. Her Majesty's Government will, no doubt, be remembered in Ireland; but they will be remembered, in my opinion, for causes that are not desirable. They have done their best to aggravate the sentiments of jealousy, mistrust, and even hatred, which in former times have existed in Ireland, and which it has been our desire for many years past to mitigate and subdue. They have placed Resident Magistrates and the Constabulary in an attitude, as towards the Irish people, more unfortunate with respect to the permanent strength and administration of justice than they have ever occupied before. In the year 1835, when Lieutenant Drummond became Permanent Under Secretary for Ireland, the Resident Magistrates and the Constabulary were institutions which had the confidence of the people, and were regarded as affording the people security for justice which they had never before enjoyed. I do not think the most sanguine man on the opposite side of the House or on the Treasury Bench will allege that any such thing can now be said of the Resident Magistrates. And what I fear is this: that whereas I do not doubt that the vast majority of the Magistrates have been labouring, perhaps under difficult circumstances, to thoroughly discharge their duty, the proceedings of a few so outrageous, so remarkable, and so at variance with all the principles both of law and of justice, cast, unfortunately, discredit upon the whole, and the efficiency of that form of Magistracy has been most gravely compromised. And so with regard to the Constabulary. The Constabulary are themselves drawn, in the strictest sense, from the people of Ireland. They are a Force that have done great service for Ireland; their duties have often been painful; but if in the discharge of those duties they find that a reckless, an unscrupulous approval is given not only to rashness, but to positive illegality, against the people, it is absolutely impossible but that the spirit which flourishes at head-quarters should distil itself also into some members of that Force, and that the proceedings of the Force itself should be more or less compromised in consequence of the anti-popular, and, I may say, anti-legal spirit which governs the instructions proceeding from the Government. No, Sir; in my opinion these are most unfortunate results. And there is another result which has been produced by the action of the Government, which I do not think the hon. Gentlemen behind me will quote as a proof of their success. The last three or four years has been the first time within my recollection when not Irish only, but British opinion, has regarded with comparative favour infractions of the law in Ireland —infractions, that is to say, of the Coercion Act. For the first time by your policy you have forced—I will not say the whole British people, but a great portion of the British people—into what we feel to be a false position with regard to resistance to the law. It is a deplorable fact when any resistance or infraction of the law is looked upon with toleration and applause; but if you chose to pass laws which are in violation of reason and decency, you cannot help feeling this: that whatever doubt or discredit may attach to the infractions of those laws, far greater blame attaches to the makers of them, and to those who, administering them in Ireland, endeavour to aggravate their spirit and to make their operation still more severe than of necessity it would be to the people of the country. That is what Her Majesty's Government has brought about. It is easy to exalt it in this House. There is a phalanx diminishing—and pretty steadily diminishing—but still numerically superior, who, no doubt, will rally to the call of the hon. Member to-night; and this Parliament will distinguish itself by passing a Vote of Confidence in itself, by inscribing on its Journals a glowing eulogy on the legislation it has adopted, upon the truly congenial spirit in which that legislation has been carried out in Ireland. Within these walls that may be a very easy, a very comfortable, a very satisfactory proceeding. But, Sir, it is not so beyond these walls. You must, yourselves, have become conscious that these commendations on your conduct in Ireland are gradually more and more estranging from you the support of the people. Election after election testifies to that. You have before you a term rapidly expiring, rapidly drawing to its close. Of that term you may make use. You may please yourselves with the cheers that reward every effusion of the hon. Member for South Tyrone against the Nationalists of Ireland. That may be, so far as it goes, agreeable and satisfactory, but it cannot avert the coming doom. It cannot avert the ever-growing evidence of the fact that the people of this country are not only inclined but determined that their fellow-subjects in Ireland shall in every respect and particular enjoy the same precious, imperishable, invaluable liberties as they themselves enjoy.

*(7.40.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I should not have risen but for the observations which fell from the right hon. Gentleman at the opening of his speech. The right hon. Gentleman referred to the position in which the House is placed, and commented on the fact that the Resolution of the right hon. Gentleman the Member for Newcastle, which involves a Vote of Censure on the Government, has been met by an Amendment in the name of the hon. Member for Tyrone. The right hon. Gentleman, who has had great experience of the business of this House, must surely be aware that this is not the first time in the history of this House that a Resolution of Want of Confidence has been met by an Amendment moved by a private Member. Both the Resolution and the Amendment are now before the House, and the right hon. Member for Newcastle, in supporting his Resolution, has made singular charges, not only against Her Majesty's Government, but also against those who are entrusted with the administration of the law in Ireland and the police, who, in the exercise of their ordinary duty, carried it out. He has spoken of the proceedings of these persons as outrageous and unscrupulous. I must say that no language has ever been used in this House which is more reckless, or more unscrupulous, or more dangerous to the system of government than that of the right hon. Gentleman the Member for Newcastle. The right hon. Gentleman goes on to charge Her Majesty's Government with an approval of illegality. Well, we are prepared to stand our trial upon that charge before this House and before the country, and I can only say that my right hon. Friend the Chief Secretary will not fail to grapple with the charges that have been brought against him—he is not the man to fail to do so. Complaint has been made that my right hon. Friend did not rise at once to reply to the right hon. Member for Newcastle, but I am sure that the right hon. Gentleman opposite is not the one who would make such a complaint as that. My right hon. Friend is the person against whom these charges have been principally brought, although undoubtedly Her Majesty's Government is equally responsible with my right hon. Friend for the policy he has pursued, and it is only fair and right that he should wait until a somewhat advanced period of the Debate, in order that he may ascertain what are the whole of the charges that are to be brought against him before he replies to them. The right hon. Member has referred to the unfortunate exclusion of two hon. Members from this House. I cannot help reminding the House that if those two hon. Members had thought fit to remain in Ireland, instead of going elsewhere, a large portion of the sentence which they are now undergoing would have been passed. The right hon. Gentleman, in an eloquent peroration, expressed the confident hope that the time will come when the people of Ireland will enjoy the same rights and the same liberty as the people of this country now enjoy. There is not a man sitting on this side of the House, there is not a Member of Her Majesty's Government who does not entertain that same hope that the time will soon come when freedom will be restored to every individual in Ireland, when the powers of the boycotter, the intimidator, and the agitator will cease to be exercised, and when every man will go his own way, and when the same absolute personal security will prevail there as in England and Scotland. Utter destruction will attend any Political Party which neglects to secure for

every individual in the Empire that perfect freedom and that perfect liberty which we claim on behalf of the boycotted tenants of Tipperary.

(7.49.) MR. MAC NEILL (Donegal, S.): Let me remind the First Lord of the Treasury that when a popular Government rises up, a Government having the interest of the Irish people at heart and responsible to the people, the hardest part of the Government's task will be to bring the people into harmony with the law and teach them that the law is their protector and not their enemy and oppressor, as it has been under the present Administration. We shall endeavour to counteract the evil work of this Government, whereby law has been made a simple machine for the exaction of rent. There are only two questions I shall bring before the attention of the House; the first relates to the method of selecting the Resident Magistrates, and the second to the objects and motives by which the Government are animated. There are 72 Resident Magistrates to select from. If it had been the object of the Government to select Magistrates who were notorious for their dependence on the Executive, the right hon. Gentleman would have had a very wide choice indeed. He could have selected such persons as Colonel Forbes, who is up to the very eyes in debt, or as Mr. M'Sheehy, whose name appears time after time in the "black list" as a defaulter and debtor. He did not select these men because, however well qualified they might have been to try their political opponents, they wanted one qualification which the men Irwin and Shannon undoubtedly had. The necessary qualification in a case in which the great bulk of the Crown's evidence was the evidence of policemen was that the two Magistrates should both of them be ex-police officers. Let us see how matters stand in a constitutional and legal aspect. My right hon. Friend the Attorney General for Ireland knows very well that the most precious privilege a prisoner can have is the right of challenging his jury. We must remember that in this case Messrs. Shannon and Irwin were both jurors and judges. Now, what were the feelings of the three defendants, who were Members of this House, in reference to the impartiality of the tribunal by which they were tried? This is what Mr. Dillon said in Court on the 25th of December:—

> "I am here, and I want to say I have a strong personal objection to being tried by one of the Magistrates now sitting on the Bench. Mr. Shannon, when I last met him, was a police officer in charge of a large force of police—within the last six months, within the period covered by charges which I am to be tried for. On the occasion to which I refer I had an altercation with him in the streets of Cashel, in which I was grossly insulted by him as I consider, and I daresay he thinks I probably said some hard things to him. At all events, it is nothing short of indecent for a man who has acted as a police officer in the course of the period during which these charges are going to be made, and has mouthed me personally—or, at all events, has had an encounter with me in the streets of Cashel—that he should now sit in judgment on the Bench. I protest against it."

Mr. William O'Brien said—

> "The last time I saw Mr. Shannon he was at the head of a mob of policemen, who were striking and beating the people on an occasion in reference to which I presume evidence will be offered on this prosecution. With reference to the other member of the Court also, I have to point out that this is the third time in different and distant parts of the country that Mr. Irwin has been selected as my Judge; and I would submit to himself whether there is not a certain amount of inconvenience, not to say indecency, in his turning up as my Judge, north, south, east, and west, as if there was no other Judge."

Mr. Patrick O'Brien said—

> "I appear here on my own behalf, and I object to being tried by Mr. Shannon, who when I last saw him was acting as a policeman in Cashel. I suppose the incidents that occurred in Cashel that day will be put in evidence against me. Mr. Shannon says he acted as an Executive officer on that day; but I want to know where the policeman ends and the justice begins? My own experience is that the policeman we have always with us—he never disappears in the justice."

Then Mr. O'Brien again said—

> "My experience is that the Magistrate never appears. When Mr. William O'Brien and myself were escorted by the Hussars into Cashel that day Mr. Shannon shouted out, 'Well done, Bruen! We have knocked the devil out of them here to-day!'"

The hon. Member for South Tyrone (Mr. T. W. Russell) forgot to mention, when he was referring to Mr. Shannon, that that gentleman's brother is Shannon, the notorious agent of the *Times*, who went into a prison and suborned false evidence. If the trial at Tipperary had been an ordinary case at Common Law not only would my hon. Friends have challenged both Mr. Shannon and Mr. Irwin peremptorily, but they would have challenged them for cause shown. Any prisoner can challenge a juror for cause when he is in the pay or under the power of another person. Both these Magistrates were in the pay and under the power of the right hon. Gentleman; both of them had been up to the Castle and been entertained by the right hon. Gentleman, and both had been conciliated, as every Resident Magistrate is, especially on the eve of any political case of importance. It is a good cause of challenge if a juror has expressed love or hatred of either party in a case. These proceedings aroused at the time a great deal of attention in England, and a young English gentleman wrote to the papers in reference to what was going on. He says—

> "Hitherto I have been a strong Conservative; but I protest against the monstrous state of things in vogue in this unhappy isle."

I cannot go through the whole of the letter; but I will take one part, will read one extract, which makes a specific charge against one of these Magistrates, Mr. Shannon or Mr. Irwin, and there has been ample opportunity of rebutting the charge. The writer says—

> "We travelled from Mallow to Killarney with one of them (the Removables), and I must say I never in my life spent an hour with a greater or more intolerant bigot. I will give you a specimen of what he said. We were talking about Mr. Parnell, Mr. Dillon, and Mr. O'Brien, and my father ventured the remark that since he had been in Ireland he had considerably modified his opinion of these men, and he now thought them to be honest patriots. 'Honest patriots!' roared this man. 'Dishonest, damned rogues they are, sir, and I don't care what you say, but if I had my way I'd hang up the whole lot of them.' This, sir, is one of the men that, according to the papers, is to try John Dillon and William O'Brien. I should not, therefore, like to give my opinion of the kind of trial these men will get next Thursday at Tipperary."

Now, I imagine, inasmuch as it was Mr. Shannon who used the expression at Cashel, "Well done, Bruen! we've knocked hell out of them here to-day," the language quoted from the letter appears characteristic of that gentleman. May I again mention, in this connection, a circumstance to which I have before referred in this House—that the police drafted from Waterford and placed under Mr. Shannon's orders had numbers on their uniforms when they left Waterford, but those numbers were deliberately removed, so that the men might have a free hand in carrying out Mr. Shannon's violent orders against the people? Confining myself still to the constitution of this tribunal, I will give the opinion of a gentleman whose views probably differ from mine upon this question of packing the Bench. Let us look how the Magistrates in England regard the conduct of Magistrates in Ireland. Here is how a gentleman writing on October 2nd from Elsworthy Terrace, London, and who signs himself M. Kearney, expresses himself—

> "I am a Magistrate of the County of Durham of 30 years' standing, for 27 of which I was Chairman of a large Petty Sessional Division. I was High Sheriff of that county in 1881. I do not put forward my antecedents from vanity, but to give some weight to my experience as to the delicacy which the Magistrates of England exercise in their administration of justice. During that long period I never knew an instance where a Magistrate who had expressed an opinion regarding the complainant or defendant, or was directly or indirectly interested in the case, sat upon the Bench either at Petty or Quarter Sessions. It seems to me, therefore, positively indecent and ungentlemanly that so prominent a partisan as Mr. Shannon should act as Magistrate and Judge in the trial of Messrs. O'Brien and Dillon in Tipperary."

But here we find that in Ireland of the whole Bench these two men are selected for packing purposes! We have heard the right hon. Gentleman make a boast that if he were an Irish landlord he would rather beg his bread than yield to the Plan of Campaign. From a gentleman of his sensitive feelings I should have thought he would have made the prouder boast that he would rather reduce himself to that necessitous condition than pack a tribunal against his colleagues in this House. He takes, however, a different view on these matters. Now, turn we for a moment to the opinion of Liberal Unionists. I appeal to the Chairman of Committees (Mr. Courtney). He is a man who I am sure will give a conscientious vote. He was in Ireland last autumn, and I met him there casually, and though his tour had no connection with these matters he had the conscientious desire to do his best towards the alleviation of distress, and naturally when he went among his constituents he was invited to give the impression made upon his mind by his visit to Ireland. Speaking at Torpoint, on October 29, he declared himself dead against Home Rule, and honestly I have no doubt. Then he said a little upon the land question, and then he referred to the Tipperary trials.

> "All parties," he said, "should co-operate for the purpose of making the Government Bill a thorough measure. One great obstacle had been raised by the unwise step taken by the Government in prosecuting Messrs. O'Brien and Dillon. There might have been ample warrant for instituting proceedings, but it was, in his opinion, most inexpedient, and he strongly advised the Government to stop the case."

Now, what have organs of Liberal Unionist opinion said? Here is what the *Echo* said on October 1st—

> "All the circumstances of the trial are unfortunate, but especially so the selection of the Resident Magistrates who are trying the case."

Therefore, you see your Liberal Unionist friends are against you. More than that, even the Tory Party in Ireland were against the prosecutions. The Dublin *Daily Express* is recognised as the ably conducted organ of the Party, and its London Correspondent is particularly well informed. This is what that London Correspondent wrote on November 1st—

> "Everywhere I hear it said that it was a lamentable mistake to place on the Bench the Magistrates, or one at all events, who was open even to the shadow of a suspicion that he had had previous conflicts with the accused The English regard that as an outrage, and when I say English I mean not one party but several among them. There is nothing like truth, and I confess I am impressed by what I hear day after day, week after week, upon this point. What really arrests attention is the judicial performance in Tipperary Court-house, and after much patience the feeling here seems to be that the sooner it is ended the better. If, indeed, full expression were given to Conservative and Unionist feeling much stronger language might be used."

MR. JOHNSTON (Belfast, S.): What is the date of that?

MR. MAC NEILL: I know the date is important, for such views change rapidly.

MR. JOHNSTON: Not mine.

MR. MAC NEILL: I do not mean the views of the hon. Gentleman. The date is November 1st. Now, it is useful sometimes to hear the views of foreign critics. A French newspaper, the *Siecle*, commenting upon the "odious and ridiculous spectacle" of a Judge following the culprit about, says—

> "Mr. Irwin may now emblazon on his visiting cards 'Judge attached to the person of Mr. William O'Brien,'"

and the article declares the whole thing

> "An outrage upon common sense and common law."

The Russian officials declare that the Chief Secretary has beaten them. Bad as the Russian system is, the Irish system, especially the Tipperary prosecution, is worse. The fame of the Chief Secretary has reached Odessa. A Russian official there said—

> "England is a country of free institutions and equal liberty. We have always looked upon it as such heretofore, but your present method of ruling Irishmen is a dis-illusion to a large section of liberal and patriotic Russians who have watched, admired, and envied your ever-expanding freedom and independence."

If the Chief Secretary wishes to imitate Lord Strafford, so far he has succeeded. But what does the Cabinet think of his performances? Can right hon. Gentlemen say that the actions of Mr. Dillon and Mr. O'Brien are those of ordinary criminals engaged in an ordinary criminal conspiracy? Can the Governsay that, when they know that it would have been useless to make any attempt to extradite those gentlemen? No, there is no independent Government in either hemisphere which would regard my hon. Friends as having committed anything but a political offence. Only one point more. What was the motive of the prosecutors? It was to stop by these judicial proceedings the visit of Mr. Dillon and Mr. O'Brien to America, where they hoped to collect funds for the assistance of evicted Irish tenants. The *Times* called attention to this, then there was a long letter from the hon. Member for South Tyrone on September 15th, and two days afterwards my hon. Friends were arrested and prosecutions were instituted. The well-informed London correspondent of the *Irish Times* pointed to the connection between the arrests and the contemplated American tour, and said that in Unionist circles the arrests were regarded as a clever stroke of strategy. This is a fair specimen of English administration in Ireland, a fair specimen of the manner in which the name of justice is regarded, with an absence of proper feeling or of humanity. The administration of the law in Ireland has been brought into contempt. I end as I began by saying that, anticipating that in the near future the Government of

Ireland will be carried on in accordance with national aspirations, I know no more difficult task than that of having to wean the people from the distrust of the law enjendered by long misrule, and to make them under an enlightened *régime* regard the law as alike for the probation of all classes and sections. (8.15.)

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(8.50.) MR. A. CAMERON CORBETT (Glasgow, Tradeston): As I went to Tipperary immediately after the visit of the right hon. Gentleman the Member for Newcastle and heard the action brought by the hon. Member for Mid Tipperary and his friends against the constabulary, I had a good opportunity of judging as to the merits of the case. As there have been many conflicting statements between Colonel Caddell and the right hon. Gentleman the Member for Newcastle, I wish merely to say that those who have come personally into contact with Colonel Caddell and have discussed the subject with him must feel that he is no mean authority on matters of fact. It would be impossible to meet any one who could give you a stronger impression of an impartial and fair mind and of reluctance to use force than Colonel Caddell. When complaints are made against the Magistrates it will guide you in coming to a conclusion if you ask yourselves whether or not the individuals making complaints were eager to have the cases fully investigated, and whether the Magistrates or the mob have the most interest in securing the maintenance of order. Before the case came on at Tipperary I knew that the prosecutors had no case, and my chief object in listening at the trial was to see by what adroit and dexterous means the prosecutors would prevent the case from being fully heard and investigated. The Member for Mid Tipperary and his friends put in their appearance in the Court 20 minutes after the time fixed for the hearing of their own case. They next tried to break down the case by every form of insult to the presiding Magistrate, who responded to all their attacks and defended himself with a patient courtesy which would not be shown under similar circumstances by any Bench in Scotland or England. The prosecutors next attempted to break down the case by endeavouring to limit the cross-examination of the witnesses by the counsel for the constabulary within impossible limits; and then, finally, the hon. Member, who was counsel for the prosecutors, threw up his brief because he was not allowed to enter into a long examination with regard to certain photographs, the Magistrate alleging that the photographs had been taken so long before that they were not relevant to the case. It may be that the Magistrate made a slip in offering to allow the photographs themselves to be put in; but when a great deal is made of photographs and you are sceptical as to whether they have ever been taken at all it is perhaps not unnatural to challenge those who say they have been taken to hand them in. The right hon. Member for Newcastle made a great deal of the fact that he had twice visited the Court-house, and that on both occasions, while the people were being kept out, the portion of the building reserved for the public was almost empty. The right hon. Gentleman omitted, however, to allude to Colonel Caddell's explanation that the reason why the Court-house was empty was because the people had gone out in order to see the row, and perhaps some of them to take part in it. Having reviewed the efforts made to evade investigation of their charges, I come to the question as to whose interest it was that disturbances should take place in Tipperary. Let us examine the position of the Magistrates. I had an opportunity of conversing with Magistrates in many parts of Ireland, and I found that every one of them regarded the peace and order and quiet in his district as the seal of his success. Each Magistrate regarded disturbances in his district with the greatest regret, and always spoke of them as mitigating the satisfaction he felt in the discharge of his Magisterial duties. You might just as well expect a business man to be proud of the failure of his commercial enterprises as to find a Resident Magistrate in Ireland, who does not regard the maintenance of peace and order as the seal of his success. Again, there is no reason to expect that the Constabulary would enjoy any conflict with the people.

The Constabulary come from the peasant class, and are so chosen as to represent the different proportions of religious opinions in Ireland. Moreover, they often belong to families the members of which hold the strongest views in favour of Home Rule. These men do not form a hostile army introduced into Ireland. They are, as I say, Irish peasants chiefly of the religious opinion prevailing in Ireland, men who have every reason to sympathise with the people and every interest in avoiding entering into conflict with them. Let us turn to the other side and see why there was that interest in promoting discord among those whose sentiments were represented at that Court. We have heard a quotation from the hon. Member who figured so strongly in the riots, disclosing his love for a scrimmage. One of the hon. Members brought to the prison that day ten days afterwards made a speech which was no less suggestive of that view. He said that the battlefield was the same as that of '98, and that it was well fixed among the matchless men of Tipperary. It seems to me that those who have deliberately fixed such a battlefield in Tipperary are responsible for any disturbance that may arise, and for the ruin brought about. As between the Magistrates on the one hand and those who have declared that they will make Government in Ireland impossible, I cannot conceive how anyone can think it probable that the conflict has been brought about by the former. To believe that any Magistrate would desire disorder, you must suppose him to be not only a wicked man, but a self-sacrificingly wicked man. As to the great conspiracy trial, there was exactly the same design on the part of Irish Nationalists to avoid judicial investigation. In that great trial, there were 28 charges sworn as to having occurred on 18 separate days. One of those bombs which the right hon. Gentleman the Member for Newcastle referred to so lightly, was of such a character as to smash a lamp 30 yards away. The long list of outrages included the throwing of many bombs, firing at unpopular persons, and every form of outrage against person and property. Yet not a single man among the defendants brought one witness to rebut these charges. We are driven to one of two conclusions—

Mr. A. Cameron Corbett

either that they knew no one of these charges could be rebutted, or else they feared that the witnesses under cross-examination would make such admissions as to shed the clearest light upon what was going on in Tipperary, and so let the British public see what terrible things were being done. In Tipperary we have had one of the most tremendous examples of the character of the Irish Nationalists—that is, their want of respect for, their want of toleration for, difference of opinion. Not only have you had these outrages directed against opponents of the Nationalists, but against Nationalists themselves. If a Nationalist shows that he thinks the other Nationalists are going too far, he at once is subjected to the assaults made in the name of the Nationalists' cause. In Tipperary one of these bombs was thrown against the premises of a well-known Nationalist merely because he held rather moderate views compared with those of other Nationalists. Therefore, the front of his shop was wrecked on the very night that the right hon. Gentleman visited the City of Tipperary. The same characteristic of intolerance was shown at Kilkenny, unanimity being there sought by resort to physical violence. There was no attempt to reason about the Nationalist views. The only uniformity they seek is that which is brought about by the reign of terror. Hon. Members have spoken about the desirability of substituting trial by jury for trial by Resident Magistrates—as if that would enlarge the liberty of the Irish people. It is true that the Resident Magistrates in Ireland have been attacked, but the Parnell Commission showed the people of this country that the most eminent and respected of English judges could not escape the objections levelled against the Irish Magistrates. Even the most impartial of English Judges did not satisfy Irishmen in a case in which they were interested. As to trial by jury, I ask you to consider the nature of the boycotting cases, and you will come to the conclusion that trial by jury is out of the question in such cases. Persons in Ireland have been boycotted for years because they had done that which in England or Scotland would not have brought them a shadow of unpopularity. In one instance a man took the farm of an absentee tenant who had been evicted. The previous tenant and his family had lived away from the farm and found occupation in a town some distance off. They ceased to pay rent, and the landlord took possession. The man who took possession of a farm which had been so left vacant would not in England or Scotland fall under the shadow of a shade of unpopularity. But what has been the case in Ireland? That man who took the farm has been rigidly boycotted; no one under the powers of the League will sell to him or buy from him; he is not allowed even to visit his widowed sister, who, if he should visit her, has been threatened with the boycott and all its severe penalties. Could anyone who listens to the tale of this man and all he has suffered offer him only the protection which is to be got from a local jury? I care not for my present purpose whether the man has been boycotted spontaneously by the people or under compulsion. If they have done so spontaneously, and so hate him that they treat him as a leper, then they are not fit to sit in judgment upon anyone who commits an outrage against him. If, on the other hand—which is far more probable—the great bulk of the neighbours of that man have no ill-will against him, but are coerced into boycotting him—["Name!"]—Michael Ryan—then, I say, they would be open to similar coercion if they were empannelled on a jury. To offer a man as protection a jury which would be bound to acquit anyone who committed an outrage against him is really to declare that such a man is an outlaw, and no longer entitled to the protection of the law, which is the first right of every citizen of a civilised country. Michael Ryan, and men like him, are keeping the lamp of liberty burning in Ireland, and for the cause of political freedom and individual liberty we can do no greater service than by supporting the Amendment of my hon. Friend behind me. I, for one, shall have the greatest pleasure in recording my vote along with him, believing that the cause of political freedom and of individual liberty is the noblest cause to which a politician can devote himself.

(9.15.) SIR T. G. ESMONDE (Dublin Co., S.): I have followed this Debate with some attention, and the only defence of the Government's policy I have heard has proceeded from Members of the Liberal Unionist Party. Seeing that the policy of Her Majesty's Government is not such as to command the approval of the majority in England, these Gentlemen are doing the best they can to give this bad case a gloss in favour of Her Majesty's Government. The hon. Member (Mr. C. Corbett) was very earnest in his defence of Colonel Caddell, a Gentleman with whom I have not the honour of being acquainted. I will not follow him into that defence. But the hon. Member then went on to charge the Irish Party with being responsible for the disturbances which occurred in Tipperary. That is precisely the point on which I join issue with them. We say that the disturbances at the Court-house in Tipperary on that day, were directly due to the action of the police. The police made an attack upon an inoffensive and defenceless crowd, who were endeavouring to gain entrance to the Court-house. The hon. Member for South Tyrone said that the Court-house could not hold any more. But we have the evidence of the people that it was almost empty. So far as I can gather from the statements made, and from the newspapers, and I believe it is the fact, on that occasion the police attacked the people without any orders from their superior officers. There were numbers of sympathisers with the hon. Members for Cork and East Mayo anxious to gain admission to the Court. Suddenly the police, without warning, attacked the people. They attacked them as they always do in Ireland, with the utmost savagery. They batoned these people with very great savagery, and they refused to return to their ranks when ordered by their officers, who seemed to have lost control over their men. When we are told that the attack by the police was harmless, I am reminded of one case, that of Keefe, a reporter, whose teeth were knocked down his throat by a baton blow. But suddenly the police discovered that the right hon. Gentleman the Member for Newcastle was amongst the crowd, and the change in their demeanour was simply magical. They got back to their ranks, and they tried to appear as if that had been their desire all the time. This fact of their altered demeanour because an Englishman was present ought to be laid to heart by Irishmen, because it shows the different treatment which Englishmen and Irishmen receive at the hands of Her Majesty's Government. An Irishman need expect no proper treatment, no constitutional liberty or privileges; he is simply born to be batoned, shot, imprisoned, or hanged at the goodwill of those responsible for the maintenance of law and order in Ireland. On the whole, as an Irishman, I am not all sorry that this should be the case. I rather rejoice at these object lessons in the benefits we receive from English rule. I am reminded of what occurred to an English tourist in Ireland, who attended a public meeting that was dispersed by the police. This English tourist was batoned mercilessly. He went to his hotel, and next morning an officer of police waited upon him and made all sorts of apologies, imploring him to say nothing about the occurrence, and adding that he had been mistaken for an Irish Member, the result of which mistake was that the tourist's skull was almost cracked. These are object lessons in English rule. Then, mention has been made of bombs, or whatever the explosives were, of which use was made in the town of Tipperary. I was in the town of Tipperary on the very night when an explosive was fired against the house of a Nationalist. Being anxious to ascertain the amount of damage that had been done, I visited the place. I found that the plate glass window of Dr. O'Brien's house had been broken, but that the coloured bottles, such as are usually displayed by chemists, and which were immediately behind the broken window were uninjured. That fact indicates the measure of the force of the explosive that was used. Dr. O'Brien himself wrote that the damage only amounted to 4s. Coming to the case of my hon. Friends the Members for Cork and East Mayo, I am here to say that the crime for which they have gone to prison—if it be a crime at all—would be no crime in England or Scotland. If Her Majesty's Government attempted any proceedings of the sort in connection with the Cardiff strike, or some movement of the kind in London—if they tried here, as in Ireland, to strike at the right of combination, they would not remain very long on the Treasury Benches. This Debate shows the value we are to place on the assurances of the Government as to their anxiety to maintain peace and order in Ireland, and to induce the Irish people to pay proper respect to the law. If the law was broken in New Tipperary it was broken by the agents of the Government, and yet not one of them has been brought to book for his misdemeanours. We have not, however seen that the Government is anxious to vindicate the law when the offender is an Irish official, although steps are taken to that end when the offender is a Nationalist. We are told that the Irish people are disloyal, and have a rooted antipathy to obeying or respecting the law, but how can anyone obey or respect the law when it is administered as the law is administered in Ireland? If a man be a Nationalist, there is no law for him, but if he is on the side of the Government, in whatever he does the law will bear him harmless. No doubt it is hard on the Irish police to keep within the law in face of the incitements daily offered by those to whom they look as their leaders and commanders. They would be more than human were they to disregard those incitements to persecute the people and to defy the law. No Irish policeman gets promotion or gets marks unless he makes himself particularly obnoxious to those among whom he lives. It is those who make themselves most obnoxious who win the favour of the Government representatives. But if to some extent we absolve the police from responsibility for the disorder they create, we cannot absolve those who are really responsible to the Irish people and to this House for the maintenance of law and order in Ireland. If the Government really want peace and order they must begin by teaching their own officials to respect the law, but all they want to do is to maintain the pretence of disturbance and disorder so that they may have an excuse for endeavouring by coercive means to put down those who are endeavouring to obtain Home Rule for Ireland. They are endeavouring to make capital out of what has occurred in Tipperary. All we can do is to endeavour to expose their proceedings, and to bring home to the English people some knowledge of the sort of mis-government which is carried on in the Sister Island, in the hope that the day is not far distant when those things will be altered, and we shall have as good Government in Ireland as now exists in England and Scotland. We can only advise our people in the face of the provocations offered by their rulers to keep their temper, but at the same time to assert their right to live as a free people in their own country, in the hope that in spite of all attempts at coercion or to upset the movement in favour of National Government, they will yet be able to obtain the control of their own Government and the administration of the affairs of their own country.

*(9.37.) MR. WYNDHAM (Dover): I have listened to the able speech of the hon. Gentleman who has just sat down with a considerable degree of disappointment. We have been accustomed to much larger utterances from the Members below the Gangway. I had anticipated that the hon. Member would not only have covered the whole of the ground included in the Motion before the House, but that he would have travelled far beyond it, and brought under our notice every act of the last three years on which it is possible to found an indictment against Her Majesty's Government. But if we exclude the pious aspiration with which he concluded, namely, that Ireland may soon enjoy the Government on which his Party have set their hearts, we find that he has closely followed the example of the right hon. Gentleman the Member for Newcastle in confining his attention to the action of the police in one small town during a period of three days only. If we compare this Debate upon a Vote of Censure with previous Debates of a like character in this House, and if we have regard to the larger scope of the former discussions, we must perceive that in attacking the Government our opponents have set themselves the task of firing at a constantly diminishing target. I allude, of course, not to numbers, but to actions for which the Government are responsible, and in which hon. Members opposite may consider the Government to have erred. And I am bound to say that the success which has attended their efforts in the past affords no explanation of these progressive steps in political marksmanship which they have set themselves to accomplish. No one has proceeded further in this direction than the right hon. Gentleman the Member for Mid Lothian, who was not content with narrowing the issue in his own speech to the action of the police, but who found fault with the hon. Member for Tyrone for taking into consideration matters of graver import which were most certainly included in the Motion of the right hon. Gentleman the Member for Newcastle. He accused the hon. Member for Tyrone of shifting the issue from the natural sense of that Resolution, and he did so on grounds which filled us on this side of the House with amazement. The right hon. Gentleman said that the right hon. Gentleman the Member for Newcastle excluded from his purview the trial for conspiracy because it was *sub judice*, and that he referred to the action of the police because it was not under review of the Courts of law. The House will learn with amazement that the very reverse is the case; the cases which have formed the sole topic of the speech of the right hon. Gentleman the Member for Newcastle, and almost the sole topic of the right hon. Gentleman the Member for Mid Lothian are all *sub judice*, whereas the matters which have constituted almost the whole speech of the hon. Member for South Tyrone have all been concluded before Courts of Law in a sense which proves that the action of the Government has been right all through. But, apart from the impropriety of the time chosen for this attack, it is noteworthy that the attack on the Government has been made in respect of matters for which they are only indirectly responsible. The Government are responsible directly for the prosecutions, but only indirectly for the conduct of the Magistrates and police. They are, I admit, technically responsible also for that, and they do not shrink from the responsibility. My point is, that while the matter of their policy has passed unchallenged, they have been attacked for the manner in which their subordinates have carried out that policy in Tipperary. The chief accusations are that a certain Resident Magistrate, Colonel Caddell, handled the police in an unwise way at Tipperary, and that the police acted violently towards the

people. The Government are also charged, and for this they are more directly responsible, with having selected Mr. Shannon to adjudicate in the trial at Tipperary. That is the sum total of the offences charged against the Government, and I think such a narrow field would not have been chosen by the Opposition if they had thought that there was a better chance of victory in attacking the Irish policy of the Government in its substance instead of the manner in which it has been carried out. With regard to the accusation that the Government have confused executive and judicial functions in the selection of Mr. Shannon, what are the facts? Mr. Shannon was sent for in May, and acted executively upon two days, the 25th and the 27th of May. He had never been at Tipperary before, and left after those two days, and did not return until the 10th of July, long before this prosecution was instituted. Why did Mr. Shannon return? He was sent for in order to effect the very purpose which the Government is now blamed for neglecting—in order to discriminate between judicial and executive functions. Mr. Shannon is a Magistrate well qualified to exercise judicial functions, and was selected for that purpose in order that Colonel Caddell, and other Resident Magistrates who have the management of the police, should not sit on the Bench in a case of this kind. Was that selection absurd? Who is Mr. Shannon? He is a barrister, and has had a distinguished University career; he won a classical scholarship at Dublin, took a double-first, was a Vice-Chancellor's prizeman, and secured the gold medal for rhetoric. The right hon. Gentleman the Member for Newcastle, in saying that Mr. Shannon had only eaten certain dinners, apparently forgot that he defended the police when the right hon. Gentleman was responsible for them in connection with the Belfast riots. The occurrences at Belfast afforded a striking contrast to the occurrences at Tipperary. The right hon. Gentleman the Member for Newcastle said he was not responsible for the executive and judicial confusion at Belfast; that two Resident Magistrates merely continued to sit in the ordinary way with the Local Justices. But in the course of the Belfast riots no less than 29 Resident Magistrates were drafted into Belfast, and sat with 60 Local Magistrates to adjudicate on the matters brought before them. They sat in rotation, and no attempt was made to prevent them from judging men whom they had arrested in the streets. I have endeavoured to defend the Government upon the merits of this selection, but really there is no need for the Government to be defended in this House for selecting Mr. Shannon to adjudicate at these trials. The matter has already been decided by a much more competent tribunal. All these charges brought against the Government were threshed out in a Court of Law before Mr. Justice Holmes, who stated that, having gone through all the facts, he had come to the conclusion that there was nothing to show that Mr. Shannon was disqualified to sit. Again, those who were tried by Mr. Shannon had an appeal, and if they disliked the tribunal by which they were convicted, why did they not seek another? It certainly seems a little hard that the Government should be censured for selecting a tribunal of which the defendants, if they are to be judged by their action, evidently approved. The two other accusations brought against the Government, namely, that the police were badly handled and that they acted with unnecessary violence and cruelty on the 25th and 26th of May, are, as I have already pointed out, still *sub judice* and ought not to have been discussed here to-night; but perhaps I may justifiably refer to the testimony of an hon. Member, which has already been quoted by my hon. Friend the Member for Tyrone, as to the conduct of the only person we have yet heard of as having been seriously injured in these riots. We are told that the police handled the people, and especially the people's Representatives, roughly. The hon. Member for Cork has described the action of the hon. Member for Mid Tipperary in having fought the police single-handed, nearly choking three of them. That is the account of one hon. Gentleman's conduct given by another; the other day we had an account of another hon. Gentleman's conduct given by himself. The Member for East Donegal told the House what means he took to identify the police in the North of Ireland on another occasion — so that what with one hon. Gentleman chalking the police in the North and another choking them in the South of Ireland, we can hardly be surprised if this unusually familiar contact between the Representatives of the people and the police leads to rather more strained relations between these two sets of public servants than we are accustomed to on this side of the water. The hon. Member for Mid Tipperary is in the House, and I am certain that he, as an expert in these matters, will be able to estimate the insignificance of this affair by the number of killed and wounded in the Tipperary engagement. It was said at first that he alone had suffered, but afterwards we were informed that another individual was also injured; these make up the total of killed and wounded at Tipperary. At Cashel the killed and wounded numbered three; three constables who were more or less seriously injured, a list of five in all—which must appear truly despicable in the eyes of that political Pollux the Member for Mid Tipperary. The right hon. Gentleman the Member for Newcastle finally said that whatever the defence of the Government was, and whatever the capital they tried to make by contrasting the occurrences at Tipperary with those at Belfast, he, at any rate, had granted an inquiry, whereas the Government in this case have refused an inquiry. But for a parallel to Tipperary I should look rather to the Wexford riots in 1883. There the same kind of conflict took place between the police and the people. There an Irish Member of Parliament was also a witness. The then Chief Secretary heard what he had to say, and refused an inquiry, stating that the only tribunals that could try such charges were the tribunals of the country, and although the hon. Member might have his suspicion of those tribunals, it was absolutely impossible to substitute any other tribunals for them. But the late Chief Secretary for Ireland may decline to be bound by the precedent of his right hon. Friend now sitting next to him (Sir G. Trevelyan). He may say that at any rate he granted an inquiry. Nobody can be surprised at that. What comparison can there be between Tipperary, where five persons in all were more or less injured, and Belfast, where in the single night of the 9th June, the police at Shanks-hill fired 201 rounds, killing seven persons, three of whom were women, and one a woman not even in the street but standing at the window of her own house? And what was the inquiry granted by the right hon. Gentleman the Member for Newcastle in the case of the Belfast riots, and of which he is so proud? It was an inquiry before three gentlemen who had no power to take evidence upon oath, and it was not until the right hon. Gentleman the present President of the Board of Trade came into office that such a power was conferred upon them. When I consider that the two right hon. Gentlemen who have spoken have confined their attacks to the manner in which the policy of the Government has been carried out by their subordinates, I cannot but think that these self-appointed critics are rather fastidious. We may congratulate them on the amount of delicate sensibility they have acquired since they were responsible for the Magistrates who came hot from the streets to sentence men they had arrested, and for police who fired at the people in platoons till they nearly exhausted their ammunition. The real question the House ought to decide, even according to the terms of the right hon. Gentleman's own Motion, is: Ought these prosecutions to have been undertaken, or ought they not? If the Government are right in proceeding against those whom they believe to have been guilty of a criminal conspiracy, then all the rest is but matter of detail. The question in which the country takes an interest is whether these gentlemen have been rightly or wrongly imprisoned. At any rate, this is a matter which is of more serious importance, and affects the credit of the Government more directly than any other question brought before the House to-night. The House has heard a good deal of the charge of the Chief Baron read, and there is no doubt, if the Chief Baron's law is worth anything, that these gentlemen entered into a combination to commit a private wrong. There is also no doubt that to enter into a combination to commit a private wrong is to enter into an illegal conspiracy. For those who support the Government that is enough. We who are not so ostentatiously enamoured of equal rights as some hon. Gentlemen opposite, believe that the Member for Huntingdon has a right equal to that of any man in the street to appeal for the law's protection when he is wronged. But I know hon. Gentlemen opposite do not attach much importance to criminal conspiracies, even when told by the learned Judge that they are against the law of the land. All these conspiracies are said by them to be voluntary combinations against harsh landlords. But in Tipperary was the landlord harsh, or the combination voluntary? If you read the judgment of the learned Chief Baron you will find that it was not so in either case. For seven years there were only two evictions on his estate, but immediately after this conspiracy was started the number of evictions was 122. The learned Judge attributed the conspiracy not to the exaction of excessive rents, but to the speeches of hon. Gentlemen. I suppose that those who entered the conspiracy at first may have done so of their own free will; but who can say that the rest were not forced to join it by the direst compulsion? And even those who entered into it at first were misled. They were drawn into the quarrel by being told that my hon. Friend the Member for South Hunts (Mr. Smith Barry) had gone to the assistance of a man who was exacting grossly unjust rents, whereas Mr. Ponsonby had received no rents for four years. They were told that in consequence of the interference of my hon. Friend no terms were offered to the tenants, whereas, as a matter of fact, not only were terms offered to them, but terms that were almost indistinguishable from the extreme demands of the Plan of Campaign. Whereas the Plan of Campaign, in the case of non-judicial tenants, that is, of all the tenants but 27, demanded a reduction of 35 per cent., Mr. Ponsonby offered a reduction of 32 per cent. It came to this, that in the case of a tenant with an annual rent of £20, whereas the Plan of Campaign asked him to pay £13 for ever, Mr. Ponsonby asked for £13 12s., not for ever, but for 49 years, when the tenants would get the reversion of the fee simple. Does anyone believe any person would enter into a voluntary combination against his landlord in such a fool's quarrel as that? We know perfectly well he would not. We have it on the judgment of the Chief Baron that the action of the tenants was brought about by violence, by assaults, and by boycotting. We know they themselves assert that they were entitled to use the weapons of boycotting and the Plan of Campaign not as against a harsh landlord, but as a move in the political war—a war which is conducted on the original plan of reserving their fire exclusively for those of their own side who run away. I think you can judge conclusively of the spirit in which these weapons were used by the language of a gentleman who, on the 16th September, before the Tipperary Board of Guardians, proposed a resolution approving of such weapons. Mr. Grogan, who moved the resolution, is a lover of the "good old times." He said they were poor weapons to those employed in Tipperary in old days, when they met the tyrants face to face at places which he named, and at which atrocious crimes were committed involving the deaths of four men and serious injury to three others. But we have the evidence not only of such words, but of outrages actually committed. It is the fashion to scoff at these outrages in this House, and to ask how many have been proved recently. Of course, none have been proved except those absolutely germane to the issue before the tribunals, but 16 of such cases have been proved, involving three or four of bombs and infernal machines. [*Opposition cries.*] I know perfectly well that hon. Gentlemen opposite prefer to call them squibs. I quarrel with no man, here or elsewhere, on a matter of definition. I have held one of them in my hands. It was an iron cylinder 10 inches long, 5 in diameter, filled with gunpowder and iron nails; and as I was unable to discover any difference in regard to the materials used and the mode of construction between it and the shrapnel shell, I call them bombs. But it is not only that bombs have been used. Men have been beaten, the windows of tradesmen have been smashed and their goods burned. Do hon. Gentlemen approve of these acts? If not, why do they not condemn them? Why do they imply by their laughter that they have never been committed? The tone that prevails in Tipperary is such that the priests there actually praise the men who would not assist the police in bringing the perpetrator of an atrocious crime to justice. But the criminal was brought to justice, and the learned Judge who tried the case I refer to laid stress on the fact that the boycotted man had surrendered wealth equal to £1,500, and said a man was mad not to resist such oppression. It is all very well for the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) to talk of the old love of liberty that is inherent in the breasts of Englishmen. This system of intimidation has worse consequences than the depriving men of their property. Men have all the manliness ground out of them by this tyranny to such a degree that to find a parallel it is necessary to go back to the ignominious oppression our Saxon forefathers underwent at the hands of their Norman conquerors. The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) at the end of his speech did indeed pass for a moment from this narrow issue to attack the Crimes Act and its administration in general terms. He spoke of the conduct of some of the Resident Magistrates as atrocious, and of the Crimes Act as against all the dictates of reason and decency. If hon. Members will turn from his eloquent denunciations to a dull matter, namely, the 84th page of the Judicial and Criminal Statistics in Ireland, they will find that in the administration this law, which we are told is against all the principles of reason and justice, and aimed against combinations which would be legal in England, during the last four years the vast majority of cases have been under Sub-section 3 of Section 2 of the Act, that is to say for riot, unlawful assembly and assault, which, whatever else they may be, can under no circumstances be regarded as coming within the category of criminal combinations. But we can proceed much further in disproof of this unfounded allegation. I went through the proceedings of last year, and out of the 530 proceedings I took the first 50 at random and found many cases which not only were not combinations of tenants, but which did not spring from combinations of tenants. Take the case of the 30 men who were proceeded against in Tyrone for religious faction fighting. Take the case of the 16 members of the O'Neil family who obtained notoriety for fighting *inter se* because they were unable to discover to which members of the family the furniture they had warehoused belonged. Then there is the case of a man named Allen, for concerting with whom certain people had their houses broken into. Hon. Gentlemen opposite will assume that Allen was one who betrayed the people behind their backs, that he truckled to a brutal landlord. On the contrary, Mr. Allen was the late secretary of the National League, but had become unpopular because he had closed on the accounts, and because through his instrumentality the instruments of the local band had been stolen.

MR. FLYNN (Cork, N.): The hon. Member is misinformed; nothing of the kind ever occurred.

MR. WYNDHAM: I have gone very carefully into the matter. If the hon. Gentleman means that Allen does not now hold the money and the instruments he is quite right. Allen returned the money through Father Kennedy, and the band through the kind offices of the parish priest. I admit that amongst the cases proceeded against last year there were some which, though not cases of combination against landlords, sprang from such combination. I have in mind a case in which a man was prosecuted for firing shots at another man at a distance of 100 yards. That is only accounted as intimidation, but there are crimes closely allied to that that are far more serious. Last year 22 persons in Ireland were killed, wounded, or fired at with intent to kill, all because they belonged to the class who are held up to public execration in public speeches in Ireland. Everyone of those crimes is directly due to the teaching that a man has some other title to land than that which is recognised by the law. Not one would have occurred but for the doctrine that those who resist such claims are to be treated as lepers, and left to the mercy of the criminal classes. We are sometimes challenged to show a direct connection between violent speeches and crimes that are committed. The relation between the speeches that are delivered and the violent crimes that follow, is analogous to that between insanitary surroundings and the disease germs that thrive and propagate in them. The case of Michael Ryan has already been mentioned. He has been persecuted for years by speeches directed against him, by the Press, and by having his movements shadowed at fairs in order to prevent him making a livelihood. In 1888 persons were prosecuted for speaking against him, and the Judge said the language used by one gentleman would support an indictment for incitement for assassination. But even in such cases as that of Ryan there is some comfort. Deeply as we deplore these reiterated attacks, the very fact that they are repeated, that they have to be repeated, that in the absence of speeches and resolutions and the active interference of League agents, the persecution would die down, proves that this illegal intimidation is not a natural growth of Irish life, but the forced product of political agitation. We see that the rack will not work unless there is constant straining upon the levers Since this is so, the last excuse for not supporting the Government is swept away. For it is clear that by striking at intimidation and striking at the conspiracies that invariably bring intimidation in their train, the Government can restore, and has restored, safety and liberty to the class from whose ranks the victims of agrarian outrage are drawn. With such a high inducement to persevere, I cannot conceive that any Government would hesitate, even before the Vote of Censure moved annually by the right hon. Gentleman the Member for Newcastle. It is, of course, a serious matter for us who sit behind the Government to be told with much emphasis once in every 12 months that we are supporting them in prosecuting men whose motives and intentions are pure and patriotic, and in every way incomparably superior to our own. But we are not here to judge of the intentions of any man. Happily we have no consciences to keep but our own, and in the discharge of that humble task we shall have no difficulty in deciding to-night between an Opposition whose doctrines have endangered life, and a Government whose action has saved it.

(10.17.) MR. HARRISON (Tipperary, Mid): In the speech in which the right hon. Gentleman the Member for Newcastle opened this Debate, he made reference to certain transactions in the town of Tipperary of which I was an eye witness, and in which I was to a certain extent a participant. Under such circumstances I crave the indulgence of the House while I refer to the transactions for a few moments. As I understand it, the Motion of the right hon. Member for Newcastle impeaches the administration of justice in Ireland, and the main allegation of those who support it is that the law is being strained and tampered with, and that justice is being prostituted for partisan ends. The only rebutting allegation on the other side appears to be that in a considerable number of cases the law has been broken by certain individuals engaged in alleged wrongful combinations. Surely the House will not fail to see that there is no connection between the defence put forward by the supporters of the Government and the offences alleged against the administrators of the law? I cannot see how the commission of certain offences, about which in many cases there may be differences of opinion, can be taken as any justification whatever for the Government going beyond the powers given them by law and straining the law in order to place their forces at the disposal of the strong and rich as opposed to the weak and poor combined in their own defence. Two or three quotations have been made from the Press to show that I approached affairs in Tipperary in a peculiar temper, a temper which might lead one to place himself unduly in hostility towards the forces of Her Majesty. Another quotation has been adduced to show that it is practically avowed on this side that I behaved in the fashion attributed to me; a third quotation, about which I feel less disposed to defend myself, has been made from the picturesque description of these transactions in Tipperary as reported by the reporter of the *Cork Examiner*. I believe I am reported to have said at a banquet in Tipperary that I did not go there exactly for ornamental purposes, and I hoped that if on any future occasion there was a scrimmage I should have a chief place in the fray. I delivered a speech of some length, but I am not of sufficient importance for the reporters to give me minute attention or to report me verbally. They completely misconceived my meaning and misconstructed my words, and the report neither in word nor substance represents what I said. That was the first occasion on which I had met the people of Tipperary subsequent to my election for one of the divisions of the county, and what I said was that on that occasion I had been employed in attempting, and had partially succeeded, to lead the police away in order that my hon. Friends the Members for East Mayo and North-East Cork might address the people of Tipperary. I said my part on that occasion had been somewhat inglorious, but whenever there were any difficulties as between the people and the Crown—whenever there were prosecutions to be faced, or, if necessary, whenever there was police violence to be faced, they would not find me shirking my duty as a Member for the county. If political prosecutions were to be faced, if batoning was to be faced, I hoped the Executive Government would single me out as a representative of the people, and therefore as one of the people first to be attacked. That is entirely different in substance to the report which has been alleged against me. The report in the *Cork Examiner* represents that I was eager to put myself forward to fight the police; but my version of the story is that if there was any inconvenience forthcoming from the Executive towards the people of Tipperary, I hoped I might be one of the people to suffer. Another quotation made purported to be one from a speech delivered by the hon. Member for Cork in introducing me to some people in Rathdowney, in Kilkenny. He is reported to have said that I must be a good man and true because I had choked three policemen. I am authorised by the hon. Member for Cork to state, and my own impression coincides with his version of the story, that what he said was this—that I must be a good man and true, because it was alleged by the Crown and by their adherents that I had choked three policemen. The House will therefore observe that the hon. Member for Cork was merely quoting the *dicta* of our opponents in justification of himself, and in no way casting his great authority over the statement which he then made. I am sorry to have to trouble the House with these personalities, but as they have been introduced I intend with indulgence of the House to deal with them. The hon. Member for South Tyrone talked about boycotting and intimidation, and I believe dragged in the Decalogue, which I notice is used by opponents to ruin others rather than for the better ordering of their own conduct. It is needless to quarrel with the hon. Member for South Tyrone, because it is known he holds a brief for the Ministerialists as a peripatetic special pleader to go about defending everything that is most abhorrent to the moral sense of the Irish people; he mearly retains the names of Irishman and Liberal in order the better to give assistance to those who are least Irish and least Liberal. A few vague personalities, gleaned from papers and gossip, are all the hon. Member can allege against my Tipperary colleagues. With my own personal experiences I would not have troubled the House if it were not that hon. Members are not cognizant of the evidence I gave on oath, evidence which was not shaken by cross-examination nor rebutted by any other evidence. I happened to be in Tipperary when the trial was about to come on. We approached the Court-house intending to be present and found the way leading to it heavily occupied by military and police. We made our way through the cordon of police; and here I would remark that if there was any disorderly crowd at the gates it was the fault of Colonel Caddell, who allowed the crowd to pass his lines and congregate there. Some were admitted, some were refused; but according to the law of Ireland and constitutional usage, this vast and excited multitude as it has been called had as good a right to be admitted as the right hon. Member for Newcastle or anybody else not immediately concerned in the proceedings. Some of us, however, were admitted and others refused admission. On what basis the selection was ordered I do not know, but it is now in evidence on the depositions that the Executive officers said that they would admit only those who had business as witnesses, defendants, or counsel for the defence. But we do not so much challenge the action of the Executive in excluding the people, though that is a grave charge, as in attacking a small crowd hemmed in on two sides by stone walls, and on two other sides by an armed force which attacked them, when there was no possibility of escape, with violence and unnecessary brutality. The crowd has been variously estimated as numbering from 30 to 100, but it is certain the crowd was vastly outnumbered by the armed force Colonel Caddell had on the spot. Of course, there are from the other side the customary allegations of violence against different members of the crowd. My own story has been given in evidence, and I only wish now to put the main facts. I made my way outside the Court-yard at the time when this ferocious rush of a vast and excited multitude was supposed to be taking place, and I took my stand by the hon. Member for North-East Cork in order that he might not suffer violence. I in no way assaulted the police, except in so far as I lifted up my hand to ward off a blow. I saved one blow from falling on the head of a man who was standing with his hands in his pockets. A minute or two afterwards a policeman endeavoured to strike me with the butt-end of his rifle, while several others caught me by the throat and shoulders, and at the same time a policeman struck me from behind on the head. Then, and not until then, did I strike any blow; and I consider, according to the theory of self-defence enunciated by the right hon. Gentleman opposite in the case of Hargan the other day, that I was perfectly justified. The man was endeavouring to hit me with his rifle, and I hit out. Slightly stunned as I was by the blow on the head I had received, I did not see the effect of my blow, but I have reason to believe that the precautionary measures which I adopted were such as to induce the policemen to refrain from any further attack. I was then escorted inside and seen by a doctor, and in a few minutes after I found that the gates had been thrown open and that the crowd had entered, and that there was ample room for me to get into the hall. I pass on to subsequent proceedings. We knew, or we were able to gather from the ordinary procedure of the Crown in such cases that, having been baptised in our blood, we should be subsequently confirmed by the laying on of the policemen's hands in the form of arrest. It was as expected. The Chief Secretary complained of the postponement of the legal proceedings, but I will explain the cause why they are still *sub judice.* Immediately on prosecuting the policeman who assaulted me, the Bench was packed by Removable Magistrates, and the action of the Crown was peculiarly illustrative of their tactics, which to any fair-minded man would show the absence of *bona fides* on the part of the Executive. When I prosecuted the police for assault it was open to the police to proceed against me by cross-summons, and then the whole case would have been threshed out and the merits of the case discussed. They took no such course. But the Bench was packed in such a way as to leave me no alternative but to abandon the case. Then I was served with a summons under the Coercion Act, but subsequently proceedings under this Act were dropped and we were told we were to have the full benefit of a jury. Then on the first occasion of its coming on the Crown had the case postponed for a week, and subsequently for three weeks; they postponed it so often, that at last I refused to go over except on a warrant; but though I refused, the Government have never yet had the warrant executed. In connection with this case I would like to ask the right hon. Gentleman what course he intends to pursue, how much of the remainder of this year will be left at my disposal for holidays, and when the matter will be brought to an issue? If the case is brought before a jury, not packed, and any capable Judge I will undertake that it will be riddled in one or two days, and that these proceedings will collapse like so many other proceedings of the Government. Some reference has been made to the amount of injury inflicted upon the crowd on the occasion, though for my part I do not think the exact amount of injury makes much difference in a constitutional matter such as this. I can only say that immediately after the police attacked the crowd a man was brought into the Courthouse in a very painful condition, he having three or four wounds on his head in which a finger could be laid, and which went down to the bone, whilst the rest of his head was bruised as if it had been battered against the wall. I maintain that an unnecessary amount of inconvenience and suffering was inflicted by the police upon the persons in the crowd on the occasion referred to, and not being either a Tory or that abnormal *lusus naturæ* a budding Tory statesman, it is not open to me to estimate the amount of that inconvenience and suffering by the number of square inches of sticking-plaster which had been required. The charge we make against Her Majesty's Government is that they have introduced an unconstitutional and a reactionary law into Ireland, and that that law they have administered in an unconstitutional spirit, and in a spirit of vindictive hostility towards the popular Party and the anti-landlord Party in that country, and that they have allowed that law to be so administered by men whose political views have alienated them away from all sympathy with the people.

(10.44.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J BALFOUR, Manchester, E.): I apprehend that the House will have listened with considerable interest to two speeches which have been delivered by two comparatively young Members of this House, which give proof of the great ability which they possess. The speech of the hon. Member behind me was delivered in a thinner House than there is at present, but if the right hon. Member for Mid Lothian had listened to it, it would have satisfied even him that there are hon. Members who are ready to take up in detail and to meet on every point the accusations which the right hon. Member for Newcastle has levelled against the Irish policy of Her Majesty's Government. The speech of the hon. Member who has just sat down was imbued with all that fire of youth which seems to distinguish all his actions. I am far from quarrelling with the hon. Gentleman, for as I understand his state of mind, he seems to regard the Irish question as something after the fashion of a town and gown row on an Imperial scale, into which he flung himself with all the ardour, the fire, and the courage becoming his years and sinews. It is a matter of interest to some hon. Members to know why this Motion was brought forward at all. For my own part, when I first heard of it—I was not in England at the time—I began to think that it had been placed upon the Paper rather through an unfortunate habit than in consequence of any well-considered policy, and because right hon. Gentlemen opposite thought that no Parliamentary Session would be complete without they moved a Vote of Censure against the Government for the way in which they had administered the law in Ireland. Therefore anything, however frivolous, however trifling, is made to do duty for the purpose. But since I have listened to the speech of the right hon. Gentleman I have somewhat altered my view. I conceived that this was a Vote of Censure on the Government for their administration in Ireland, but I find that it appears to be a continuance on the part of the right hon. Member for Newcastle of a personal controversy between him and myself which began in September or October last, the details of which I had thoroughly forgotten, but which appear to have rankled in his mind, and to have come out this evening in a most inappropriate way. After all, for a Vote of Censure, can you conceive anything so trivial as the case put before the House by the right hon. Gentleman? The hon. Member who has just sat down had his head broken—not badly broken, because, after going to the doctor, he immediately came back and began to doctor somebody else. The incidents to which the hon. Member referred are most objectionable ones, but they are the incidents which attend any riot, however trivial. Practically, the House is asked to go through all the elaborate forms of a Vote of Censure, and men have been whipped up from the furthest ends of the earth, to decide whether Her Majesty's Government are or are not to be allowed to retain their position because three or four gentlemen in Tipperary, when a Privy Councillor and an ex-Member of the Cabinet happened to be present, had their heads broken. I call it ridiculous. It is worse than ridiculous; under the circumstances in which we stand it is indecorous in the highest degree, and I will tell you why. This is a matter the trial of which has been begun and has not been concluded, and when it comes before a Judge and a jury in March next, it will be found that the statements of two of the witnesses have been given in this House as ground for a Vote of Censure. When I first heard of this Resolution, I naturally thought that it was intended to deal with the circumstances which led up to the trial of the recent conspiracy cases, and which, having been concluded, might have formed fair matters for criticism. But the right hon. Gentleman, instead of taking that course, comes down here and, in defiance of the commonest Parliamentary practice, insists upon discussing matters which ought only to be argued out in a Court of Law. I wonder that the right hon. Gentleman should have started on that course. I wonder still more that the right hon. Member for Mid Lothian, who was so anxious that I should reply to him, but who is not anxious enough to come down here and listen to that reply, and who always poses as the guardian of the purity of Parliamentary traditions, should have consented to be dragged by his colleague into a course which I think is so opposed to the true interests of Parliamentary Debate. I do not propose to follow these bad examples. There are certain topics in the speech of the right hon. Member for Newcastle, and in the speech of the right hon. Member for Mid Lothian which, I apprehend, will not form part of the proceedings in the Court of Law in March, and which I will touch upon. I will not touch upon the questions of fact on which the right hon. Gentleman and the hon. Member who has just sat down, and other English and Irish gentlemen not less worthy of credit and not less capable of using their eyes as they are, take such diametrically opposite views. The right hon. Member for Newcastle has approached this question as if it were the subject-matter of personal controversy between himself and me. Look at it from the personal point of view, and let us consider what the course taken by the right hon. Gentleman was in this matter. Twelve persons, three of them Members of this House, were brought before a Court in Tipperary to be tried for conspiracy. The result of that trial everybody knows; but before the result of that trial was known everybody who knew anything about Ireland was perfectly well aware that all the principal persons concerned in it were guilty of the offence of which they were charged for they never made any secret of it themselves. The proudest boast of those gentlemen, the crown of honour which they would be furious if any one were to deprive them of it, is that they did combine to injure my hon. Friend the Member for South Hunts, and they did so by means which turned Tipperary into a Sahara, and which caused it to be treated as if it were one of the Cities of the Plain. That was their own boast and confession. That was made when the right hon. Gentleman went down to Tipperary. He knew it, and knew it perfectly well; and whether those men were right or wrong, the result of this criminal conspiracy was to bring untold suffering on the population of Tipperary, suffering which it may or may not have been right in the interest of the Irish people to bring upon them, but which was inflicted upon them in consequence of an illegal conspiracy. Those were the notorious facts, and the facts which the men accused would be the last to deny. The right hon. Gentleman has been responsible for the government of Ireland. Either as Irish Secretary or in some other capacity I presume he expects to share in the government of the future. I know he does. He told us that he was coming into office at the next election, and he goes down with men whom he knows to be guilty.

Mr. J. MORLEY: I wish to remind the right hon. Gentleman that three of the defendants were acquitted by the Court.

Mr. A. J. BALFOUR: Yes, Sir; but, in the first place, not the defendants of whom I am speaking—the Members of this House.

Mr. CONDON (Tipperary, E.): I am a Member of this House, and I was one of the defendants, and I was acquitted.

Mr. SHEEHY (Galway, S.): I was another.

Mr. A. J. BALFOUR: And, in the second place, the right hon. Gentleman at this moment must know that some of those persons who were acquitted were acquitted on obviously and admittedly technical grounds, and that, if there be moral guilt attaching to this crime, that moral guilt attaches to them. The right hon. Gentleman denies that?

Mr. J. MORLEY: Certainly.

Mr. A. J. BALFOUR: Does he deny that Father Humphreys, who was acquitted, but of whom the Judge who re-tried the case and re-surveyed the evidence practically said that he was as guilty as the others—does he say that he was innocent?

Mr. J. MORLEY: He was not legally guilty.

Mr. A. J. BALFOUR: I always thought that morality had been abandoned by the Liberal Party, but I never expected to hear them confess it. The right hon. Gentleman goes down and accompanies those gentlemen whom he must have known, if he had exercised the intelligence with which he has been so largely endowed by nature, were morally guilty of this offence. He accompanies a crowd which assembles to cheer for the prisoners, and to boo at the police escorting them. A more indecorous position to place himself in cannot be conceived. He says that he went down to see how the Chief Secretary was working the tremendous instrument which Parliament had placed in his hands. He was doing nothing of the kind. He was going down by his own confession to hammer, or help to hammer another nail in the coffin of the Government. He goes down on the constitutional ground to see the liberty of the subject respected! He went down as a politician for a political purpose. He went down as a Party man for a Party purpose; he went down as a wire-puller for a wire-pulling purpose. To carry out that object he was not ashamed to pursue a course which I venture to say no Privy Councillor, no Cabinet Minister, no man who ever expected or hoped to enter office again, ever pursued before. The right hon. Gentleman's first accusation was that he obtained ocular proof that the charge which has been so constantly made against the police in Ireland, that men were attacked and batoned, and I think he said brought to justice for booing and cheering, was true. As far as I can make out, nobody was batoned at that stage of the proceedings. Did he see anybody batoned? Did he see anyone brought to justice? No, he did not, though he tells us that he had ocular proof that booing the police was regarded as a criminal offence. This was the charge, so far as I can make out, which he made in his speeches at Swindon and St. Helen's. There is booing, no doubt. A crowd is assembled to boo the escort or cheer the prisoner. The police who escort the prisoner are booed. I apprehend that that crowd, from the fact of doing these things, would be an illegal assembly. [*Opposition laughter and ironical cheers.*] I do not quarrel over that, because nothing was done to them. It is a mere legal dictum on which I say nothing, but I want to know this: How was it that every time that the right hon. Gentleman referred to this subject he omitted to state the fact that there was a large crowd and a relatively small escort, that the crowd booed the police and cheered the prisoners, and all this in a town which had for months been the scene of rioting and disorder, and where on legal evidence we have it that the police had to fire and had killed a man? [*Loud cries of* "No."]

Mr. J. Redmond rose in his place Mr. A. J. Balfour refused to give way, and Mr. Speaker called on the Chief Secretary to proceed.

Mr. J. REDMOND: The reverse is the case. The Coroner's Jury said the evidence was the other way.

Mr. A. J. BALFOUR: The hon. Member, I think, is mistaken; but, at any rate, the whole matter can be brought out before the House in question and answer.

Mr. J. REDMOND: Ask the Attorney General for Ireland. He answered a question the other day.

Mr. A. J. BALFOUR: The facts were as I stated.

Mr. J. REDMOND: They were not.

Mr. A. J. BALFOUR: I have stated the fact, I believe. Before we come to the scene at the Court-house I wish to say a word or two on another subject. I shall not say a word about the evidence, because if I did so I should myself be guilty of the crime—the Parliamentary indecorum—of which I have complained in the case of two or three hon. Members who have spoken. But there is one question which does not affect the evidence in the case to which the right hon Gentleman has referred, and on which I think he ought to be corrected. He stated in his speech that under the Crimes Act itself it must be left entirely for the Magistrates inside the Court to see that the Court is not overcrowded, and that decorum is preserved in it; and he based upon that statement or theory the astounding conclusion that Colonel Caddell was not justified in stopping the men coming in, even if he believed they would be riotous when there. That is not law or common sense in Ireland, and it is not law or common sense in England. The idea that a Magistrate must be precluded from stopping a disorderly, or noisy, or, for the sake of argument, I will say, a drunken crowd ["Oh, oh!"] — I do not say this crowd was drunken; I do not think it was — a disorderly or drunken crowd from going into a Court, is surely an outrage on the common sense of the House. Well, I leave that part of the question with only one other observation. The right hon. Gentleman the Member for Mid Lothian was deeply indignant that in the conflict of testimony I pinned my faith on the evidence of others and rejected that of Privy Councillors and Members of Parliament. Privy Councillors and Members of Parliament may be better than other men, but they have not got better eyes; and if two men of equal probity give me different versions of the same matter, it is not an insult to one side to say that I prefer to believe the story of the other. But I need not pursue this. The matter will be threshed out in a few weeks, when the right hon. Gentleman will have that opportunity, of which he says he is so anxious to avail himself, of giving his evidence upon oath and under cross-examination. We shall then have all the facts before us, and I trust we shall then be able to form a final judgment on the evidence which has been accumulated in this matter. But let me again say the right hon. Gentleman had to make two speeches immediately after his visit to Tipperary, and there was nothing else to talk about in Ireland than this relatively trumpery riot, which never would have been heard of but for him, and which would have occupied the precise place in Irish history that its proportions seem to demand. Now, the right hon. Gentleman was very angry with me because, going back upon old speeches of mine, I accused him of garbling. I did do so. The expression may have been a strong one. As I do not love strong expressions—[*Laughter.*] Well, if I had carefully examined all my expressions I might possibly have selected a milder, though not a less expressive one. But who is the right hon. Gentleman that he should complain of strong expressions?

SIR W. HARCOURT (Derby): Not strong, but wrong.

MR. A. J. BALFOUR: Well, if it comes to that, I have to say the expression is the right one. The right hon. Gentleman was dealing with a Magistrate in Ireland who had very limited opportunities for defending his own case, and who had written an account of that case to the *Times* newspaper. The right hon. Gentleman knew of that letter. The letter was written to the Editor of the *Times*. I believe the right hon. Gentleman perfectly accurately quoted the letter he saw, but the letter he saw was not that in the *Times*; and I say that a person in the position of the right hon. Gentleman attacking a man in Colonel Caddell's position should, at all events, do him the justice to look at the newspaper to the editor of which his letter was directed before he founds upon a misquotation an accusation.

MR. J. MORLEY: The right hon. Gentleman is misinformed. Colonel Caddell's letter was seen by me the day before it appeared in the *Times*, or was sent to the *Times*. It was published in three Dublin papers and in two London papers, and not in the *Times* till the following day. I read it on the first day it appeared.

MR. A. J. BALFOUR: Very well.

MR. J. MORLEY: I saw it on the Monday, so where is the garbling?

MR. A. J. BALFOUR: The facts admitted by the right hon. Gentleman are these—that Colonel Caddell wrote a letter to the Editor of the *Times*. ["No."] Yes. That he did write a letter to the Editor of the *Times* is an admitted fact. The authentic copy of that letter appears, of course, in the paper to the editor of which it is written. It appeared in that paper the day before the right hon. Gentleman made his speech.

MR. J. MORLEY: On the same day.

MR. A. J. BALFOUR: On the same day, but before he made his speech. He made his speech, basing one of his main accusations against Colonel Caddell on the form in which the letter appeared in the newspapers to the editors of which it was not directed, but not in the form in which it appeared in the paper to the editor of which it was directed.

MR. J. MORLEY: I am sorry to be obliged to interrupt the right hon. Gentleman again. I assert this—that the letter was sent to these four or five other papers on the first occasion with the word "nearly," and that the word "entirely," which appeared in the *Times*, was a second and revised version.

MR. A. J. BALFOUR: The letter never purported to be anything but a letter to the *Times*. Is that admitted? [A VOICE: "No."] It appeared in that paper before the right hon. Gentleman made his speech. The right hon. Gentleman did not take the trouble to look at the form in which it appeared in the paper to the editor of which it was addressed, but used the form in which it appeared in some other paper. So far I accuse him of nothing but carelessness—a carelessness which, mark you, is serious when a person in the right hon. Gentleman's position is dealing with a person in Colonel Caddell's position. But I contend that when the error was pointed out he did not utter, and has never to this day, as far as I know, uttered, the slightest word of apology.

MR. J. MORLEY: Hear, hear!

MR. A. J. BALFOUR: And that I call garbling. I could wish that the right hon. Gentleman, who is so sensitive on his own account, would, at all events, recollect that it matters little what epithets he uses to those who can reply to him face to face; but when he is dealing with persons who do not stand on an equality with himself, who cannot reply to him as I can reply to him, who are not Members of this House, but who are Magistrates, doing a difficult and laborious and, through the efforts of the right hon. Gentleman and his friends, very often an unpopular duty in Ireland — he should recollect that epithets bandied between Members of Parliament matter very little; but when he describes a man like Colonel Caddell as incompetent, brutal, and lawless, I say it becomes very unnecessary for a politician henceforth to consider what shall be the language in which he shall describe the actions of the right hon. Gentleman. The right hon. Gentleman in the course of his speech made a rapid transition from Tipperary—to which he afterwards adverted—to the action of the Government in the case of the hon. Member for East Mayo, who spoke at Swinford, I think, on September 21 last. Now, the point is this. The Government did say—and I accept the whole responsibility of their action, which I myself directed—that if the hon. Member for East Mayo chose to make an illegal speech at Swinford, and that illegal speech, by the endorsement and co-operation of the crowd, constituted an unlawful assembly, that unlawful assembly should be dispersed. The real question we have to determine is this: Had the Government any ground for supposing that if the hon. Member for East Mayo went to Swinford he would, or would not, make an illegal speech? I say we had ample grounds for believing he would. Recollect that what was done was to warn the hon. Gentleman as politely as possible that this course would be pursued, and that the meeting might be proclaimed for this reason. It was, however, not proclaimed. Every desire was shown that the hon. Member should express his views provided they were views consistent with the law. If the House will consider not merely the action which the hon. Member has taken in past times in that district, where he started the Plan of Campaign, and where he has agitated more than once against rents, and still more, if they will consider the speeches which he made as he was going down to Swinford—speeches at which no police reporter was present, and which I take from a friendly newspaper, the *Freeman's Journal*, they will see that the object of the hon. Member for East Mayo in going down there was to turn the impending distress into a lever for political agitation. They were very remarkable speeches. The hon. Member for East Mayo distinctly looked back with regret to the action taken in the criminal times of 1880 and 1881. He says—

> "There, now again you have distress—now again is the chance for you not to pay your rents,"

and he showed the clearest desire—and I do not think this will be denied by any of his friends—to turn the difficulties in which the small farmers were likely to be put in the winter through the failure of the potato to account, not for the purpose of relieving that distress, but for the purpose of again reviving in its ancient bitterness the land war that existed in this district in 1880, 1881, and 1882. I shall not dwell further on that point, because the hon. Member for East Mayo is not present. But if any one will take the trouble to read the speeches to which I have referred he will see that I have not exaggerated by a hair's breadth the import of those speeches, and that I have done no injustice to the hon. Member of which he can complain. Having dealt with Swinford, the right hon. Gentleman reverted to Tipperary, and dealt with the question of the selection of the Magistrates who tried the case. There were two Magistrates, of course. The Chairman of the Court, Mr. Irwin, is a gentleman who, by the test which, after all, is the best possible test you can apply—the test of experience—has shown himself competent to deal with the most difficult cases under the Crimes Act. He had before dealt with such cases frequently; his decisions have constantly been reviewed by higher tribunals, and have never been reversed. But it is not against Mr. Irwin that the *gravamen* of the attack has been directed. The chief victim of hostile criticism has been Mr. Shannon, and, as the right hon. Gentleman the Member for Newcastle very justly and properly observed, the criticism, at any rate in his hands, has not been directed against Mr. Shannon, who is not responsible, but against the Government, who are responsible. Now, what justification had we for our action? Mr. Shannon, since the middle of July, had been placed in Tipperary to carry out judicial functions alone. To bring in from the outside some other Magistrate than Mr. Shannon could only have been justified if he had shown himself incompetent, or if there had been any strong reason why he should not sit on the Bench. Was there any justification for such a course? No more competent Resident Magistrate than Mr. Shannon sits in Ireland to decide questions. No more competent lawyer exists in Ireland, I believe, in the whole range of the Magistracy, from the North of Ireland to the South, and I believe no man has a more distinguished past career than Mr. Shannon. It is obvious, therefore, that unless there were strong reasons for superseding him he should have been employed. He had a controversy, the right hon. Gentleman the Member for Newcastle says, with the Member for East Mayo (Mr. Dillon), who attacked him seriously in this House. Well, you cannot possibly exclude from these judicial proceedings everybody whom the Members for East Mayo and North East Cork (Mr. W. O'Brien) have attacked. It is absolutely out of the question. I have had the records of *United Ireland* examined for eight years, and I find they attack everybody. With regard to the Magistrates declared by the Lord Lieutenant to be legally competent to try these cases, I find that only three out of the whole number have escaped the animadversion of that intelligent journal. What are you to do under these circumstances? If people are gifted with this wealth of vituperation, how is it possible to find Judges to try them? They have only to abuse enough and they remain untriable. The right hon. Gentleman opposite took as an illustration the case of the hon. and gallant Member for North Armagh (Colonel Saunderson) and the hon. Member for Belfast (Mr. Johnston) trying the learned Member for Longford (Mr. T. M. Healy). He said how monstrous it would be for those two Members to try the Member for Longford. But if you wanted to try the Member for Longford, whom would you get? In what quarter of the House would you find the people whom he had never attacked? Would it be gentlemen below the Gangway on this side of the House? Would it be gentlemen opposite? Would it be gentlemen below the Gangway on the opposite side? If the right hon. Gentleman the Member for Newcastle had to carry out his imaginary case, and to find a jury in this House to try the Member for Longford, he positively could not do it on his own principles and by gentlemen whom the Member for Longford has never in the last ten years honoured by his abuse. The right hon. Gentleman anticipated, and anticipated truly, that I should use against him the *tu quoque* argument. I pointed out in one of those unfortunate speeches of mine, or in a letter which I wrote to the papers on the same subject, that the right hon. Gentleman, when Chief Secretary, had himself in Belfast on a far greater scale done ten thousand worse things of the same kind than he accused me of doing in the present case. This part of the question was fully dealt with by my hon. Friend the Member for Dover (Mr. Wyndham) early this evening. The right hon. Gentleman seems to think that he left the Resident Magistracy in Ireland exactly as it was before the riots, and that the whole of the management of the riots was intrusted to the ordinary local Magistrates. That is not the case.

MR. J. MORLEY: I never said that. I said the Resident Magistrates sat on the Bench with them.

MR. A. J. BALFOUR: I think the right hon. Gentleman will find that not one, not two or three, but a dozen or 20 or more Resident Magistrates were drafted in from other parts of Ireland to deal with the Belfast riots. I think these riots were a very big thing. It was not the case of an hon. Gentleman having his head broken, but the case of men being day after day shot down in the streets, and of women day after day shot down at their work, of policemen firing hundreds of rounds from their barracks as they supposed, rightly or wrongly, in self-defence—of incidents compared with which Mitchelstown sinks into absolute insignificance. I do not suppose that in the history of Ireland—and it is a history of bitter faction—feeling between factions ever rose to such a point as it did in the case of the Belfast riots. Did the right hon. Gentleman then distinguish, as he now professes to do, between the Executive and the judicial functions? He did nothing of the kind. He did not, in the case of Belfast, do what I attempted to do, namely, to get a Magistrate who should not be concerned in Executive functions. No; the Magistrates were engaged in the evening in ordering about the police employed in this affair, and during the daytime they shared with the local Magistrates the work of trying the men who had taken part in the riots the evening before. I think the plan not a very good one. But the difficulty was great; the circumstances were new; and Heaven forbid that I should rake up this matter for controversial purposes! But when the right hon. Gentleman attacks me for doing on a small, I may say on an insignificant and petty, scale what he himself did on a grand and almost a sublime scale, I think it is more than human patience can well bear. At all events, I trust the right hon. Gentleman, whatever else he says of me in future, will say this—that, bad as I am, he was in his day and in his degree ten thousand times worse. After all, we have been attacked for the method in which we framed the Court. But experience is the true test. Have we any means of testing the Court which we thus framed, or of coming to any conclusion as to its fairness, and as to the bias which it had for or against the prisoners? We have an excellent test, because, by the kindness of the counsel for the defendant, the case was brought before Chief Baron Palles, who delivered a Judgment upon it which every Member of the House ought to read. It appears merely as a Return of the Court of Exchequer; and no one, probably, would guess it to be a complete, an able, and a convincing survey of the whole legal aspects of the Tipperary controversy. If they read this they will see, not merely that Court upheld in every single thing they did against the prisoners, but that the Chief Baron was of opinion that if the Court erred at all —if these gentlemen, who are "the creatures of the Crown," who are "removables," who are my "paid hirelings," as an hon. Member said——

MR. MAC NEILL: I endorse that.

MR. A. J. BALFOUR: Perhaps the hon. Member invented the phrase. If these "corrupt Judges" erred at all, they erred against the Crown and in favour of the prisoner. And I say you cannot have a more conclusive test that, whatever the steps may have been by which this Court was arrived at, it was a fair, able, and judicious Court, and a Court, at all events, from which no Irish Member need have shrunk from being tried. The right hon. Gentleman the Member for Mid Lothian, who has not yet returned to the House——

SIR W. HARCOURT: He is ill.

Mr. A. J. BALFOUR: I beg pardon. I was going to criticise some observations in his speech, but I will choose some other occasion. But both the right hon. Gentleman the Member for Mid Lothian and the right hon. Gentleman the Member for Newcastle deplore what they called the discredit before the English people into which the police and the Magistrates have fallen in Ireland. If by that they mean that on a great many English platforms attacks on Resident Magistrates and the police are greeted with jeers, I admit the fact, and I deplore it. But I want to know who is responsible for it. It used not to be so; indeed, that is the great *gravamen* of the charge. It was not so before 1885, and yet the Magistrates were the same as now, the police were the same, and they did the same things, and they were accused of doing the same things in the same language by the same newspapers, and by the same Members of Parliament. But in those days they were not objects of reprobation in any part of the United Kingdom. But who are right hon. Gentlemen opposite that they should deplore the change? They are the causes of the change. They have never hesitated for a Party object to make the most unfounded and unscrupulous attacks—I borrow the words from a speaker earlier in the Debate—upon these public servants. Of course, attacks made by men in their position addressed to persons who know little about Ireland, except from such orators, produce their effect. Whom does that condemn? Does it condemn the victims of the attack, or the persons who make the attack? I say it is the people who make the attack. And if the time comes when those persons have to use these officers whom, for their own Party purposes, they have so recklessly traduced, they will find then the evil consequences of the course which they have pursued. Both the right hon. Gentlemen who spoke from the Front Opposition Bench—the right hon. Member for Newcastle and the right hon. Member for Mid Lothian—made themselves very merry over their own prophecies about the next General Election. Right hon. Gentlemen always console themselves about the next General Election. They have a great gift of self-satisfied prophecy in that direction. They are assured that everything is going their own way. I am always ready to treat and argue my opponents' case on my opponents' own terms. Therefore, let us suppose what they have prophesied does come about; let us take their view; are we, then, going to have a Utopia on the other side of the Channel? You will turn out, no doubt, a brutal Government, a Government which employs Police and Magistrates, which puts down boycotting, which tries to check intimidation, which does its best, and I think not unsuccessfully, to preserve the elementary rights of individuals, a Government also which I think has struggled not unsuccessfully, if we are to compare their efforts with those of their predecessors, to ameliorate the condition of the poor and distressed all over Ireland. The principles on which we have acted are known. What are the principles of our successors going to be? Are they unknown? I do not think so. I think we all know them. We hear them spoken aloud from those Benches (below the Opposition Gangway) and *sotto voce* from those (the Front Opposition Benches). We know the Government is denounced for coercing those who intimidate landgrabbers, therefore I presume intimidation of landgrabbers will be the ordinary procedure in Ireland after the next General Election. We know that the Government is denounced for opposing the Plan of Campaign; I presume, therefore, the Plan of Campaign will rule Ireland after the next General Election. We know we are denounced for checking boycotting; I presume boycotting will be rampant after the next General Election. Is the next General Election so exhilarating a prospect to right hon. Gentlemen opposite under these circumstances? Do they look forward with equanimity to this new system of Irish Government—the Government of Ireland according to Nationalist ideas? I believe if you were to probe to the bottom the views of the right hon. Gentlemen who sit on that Bench you would find that there is nothing which causes them so much anxiety as that prospect. It is not this or that by-election, nor even this or that General Election. They know perfectly well that one of two things must happen—either our successors, after we are turned out, will have to follow our methods, adopt our policy, and use our instruments, in which case every speech you will have made will be branded before the face of mankind as odious hypocrisy, or else, in the other alternative, you will give up Ireland to men who have shown what they can do already and whose handiwork and signature are to be found in certain parts of Ireland. Those men who have been singled out for special eulogy this evening are those whose handiwork is to be seen in Tipperary. We know what they boasted they would do and what they did at Tipperary—they have reduced it to a desert. There is their handiwork; there is the result of their principles; and if those principles are to be carried out, then I say Ireland, after the next General Election, will become a place where civilisation will be absolutely impossible; where the very last vestige and element of individual freedom will have vanished; where every man from the North to the South will be given up to the dictation of an organisation in Dublin; and their only chance, the only hope that any one of them will have, will be that that organisation may find itself divided by internal controversies. I cannot believe the right hon. Gentleman desires that Utopia, because he knows perfectly well that the object we have striven to attain must be striven for by every civilised Government, and I believe he also knows that our methods are the only methods which are practicable or possible. And if he thinks that, holding those convictions, we are frightened by any threats of what this or that by-election may do, or that we take it to heart with any misgivings, he is under a mistake. I have known gentlemen opposite whose morals appeared to be the creatures of a General Election. I have known gentlemen whose whole view of the Ten Commandments appeared to be altered by a Parliamentary majority. Sir, I believe not only that it is wrong, but that it is stupid. There has never been a greater mistake made by any Party in this country than the mistake that was made and is being made this day by hon. Gentlemen opposite when they identify the triumph of their cause with the triumph of immorality—I mean political immorality—and it is because, at all events, I am optimistic enough to believe that morality must win in the long run that also I believe the verdict this House will pass to-night will be endorsed in the future by the constituencies of this country.

(11.46.) SIR WILLIAM HARCOURT (Derby): I have often listened to the right hon. Gentleman and admired his ability, but I confess to-night that I have listened to him with rather different feelings. They have been those of sympathy for a man who is compelled to speak when he knew that he had no case, and that he was not even in a position to attempt to reply to the charges brought against the Government. Now, let us see what happened in this Debate. My right hon. Friend, with all the authority that belongs to his position, to his character, and to his personal knowledge of what occurred, has come forward, and addressed to the Government five or six distinct challenges and charges of unconstitutional and illegal conduct. How did the Government attempt to meet that? They met it by one of the platform harangues with which we are so familiar, and for which we are so grateful. They mainly contribute to our success at by-elections. I have always regarded the presence of the hon. Member for South Tyrone as worth some four or five hundred votes against the cause which he represents. Does the professional defender of the Government deny the particular charges which have been made? Not at all. He says, "These were very bad men, they deserved to be punished, and it does not signify how you punish them." That is the issue on which the House is to vote to-night. It is as if we charged the Government with having hanged a man without trial, and we were told, "Oh! he is such a bad man, what does it signify whether he was tried or not." That is the Amendment of the hon. Member for South Tyrone, which is adopted by Her Majesty's Government, who are not prepared to say a single word in answer to these definite charges of unconstitutional conduct. Those are the charges which are about to be tried at the next election. The charges against the Government are that, in their determination to crush their foes, they have not scrupled in the administration of Ireland over and over again, week by week, month by month, to violate every principle on which English liberty is founded. The Chief Secretary, not being able, and consequently not being willing, to meet those charges, thinks it better to denounce my right hon. Friend for conduct which he says was unworthy of a Privy Councillor. Why do you not take the course a former Tory Government took, when they struck Mr. Fox off the list of Privy Councillors? Why do you not take that course, and have the courage of your opinions? Why do you not do what George III. did when he struck the Duke of Devonshire off the roll of Privy Councillors for daring to defend the liberties of the people? That was in the days of the ancestors of my noble Friend the Member for Rossendale. But what is the use of coming down to this House, and saying that my right hon. Friend is not right and is not performing his duty when he goes to Ireland to see how you are administering the law, and comes before the House to testify against you, to challenge the opinion of this House and of the country, and to charge you with being guilty of this conduct? What are the charges, and how have you met them? First of all, reference was made to my hon. Friend the Member for Mayo, about whom you have been so anxious and whom you are so proud to imprison —it is highly convenient to you just when the discussion on the Land Bill is coming on—and much good may it do you. I have my own opinion as to why that prosecution was delayed for 12 months, and brought 12 months after the offences were committed. But what is the charge made? That you instructed your police officer to go to a man who was addressing his own constituents, and tell him that if he said anything that in the judgment of that constable was illegal, he would disperse the assembly. I should like you to send a police constable down to the town I represent, or to the town which the Chief Secretary represents—the town of Manchester—to say, "I am the judge of the language your Representative shall address to you, and if in my opinion that language is illegal, then I will disperse your assembly." Now, I know very well what the General Election will say to such a doctrine as that. That is one of the points, and that is the manner in which Ireland is treated and in which you deal with the Representatives of the constituencies of Ireland. You do not wait till you have heard what they say. What was the defence of the Chief Secretary? He said, "Had we not good reason to believe that Mr. Dillon would say something illegal?" These are the principles of English liberty! Is a Chief Secretary to tell a police constable to form his own opinion of what a Member of Parliament is likely to say to his own constituents and order the constable to prevent his saying what he chooses to them? These are the doctrines of the Tories. The Secretary for Ireland says these are doctrines as to which we will take the opinion of the people of England at the next election. That is the first charge, that is the spirit in which the government of Ireland is conducted. Well, then, the right hon. Gentleman says this is a most trivial thing to bring forward. He says there were only a few heads broken. It does not depend upon the amount of heads broken. It depends upon the amount of law broken. It depends upon the legality of the transaction. An assault in law may consist in a simple touch, and an assault upon liberty does not depend upon the number of heads broken, but upon the spirit of the Government that makes it. If the tax demanded from Hampden had been only 6d., would it have been a trivial question whether the Government should be allowed to commit an illegal act? That is the spirit of the defence offered by the Government. Now, what have you been charged with? The right hon. Gentleman says, "Oh, I cannot discuss the conduct of the police because it is *sub judice*." He discussed it on the platform before his supporters. He instructed the Removable Magistrates as to what judgment they were to come to, but when he is charged with the same thing in the House of Commons, he shelters himself under the plea that the matter is *sub judice*, and will not answer the charge. I do not call that a frank or a courageous way for the Government to meet a charge like this. What is the charge against the police? That they, being as numerous, or more numerous, than the crowd, as it is called, dispersed that crowd without any legal right to do so. I say that is a monstrous and unconstitutional proceeding. It is one that ought to be condemned, and we will condemn it to-night. What pretext has been offered? Every sort of excuse has been made. It is said that the crowd was interfering with the escort. There is no foundation for that. There is not a particle of proof of it, or any ground for accepting it as an excuse. Every excuse the Chief Secretary has put forward has been proved to be untrue—I do not mean to his knowledge, but to the knowledge of those who inform him. Then there was another charge, a definite charge—that of refusing admittance to the Court. What excuse is offered for that? The Chief Secretary and his constables claim the right to divine what is in the minds of the people who claim a right to go into a Court of Justice. That is not the law of England or the law of Ireland. Any man, unless you have some good ground for believing and knowing that he is about to misconduct himself, or has misconducted himself, has a right to go into an open Court of Justice, if there is room for him. The police pretended, first of all, that there was no room in the Court. There is not a particle of foundation for the allegation on which it has been attempted to defend these proceedings. The allegation has been proved to be absolutely untrue, and the attack made by the police was absolutely without any excuse or justification. The right hon. Gentleman says this is a trivial matter. If it had been an incidental matter—a case of mere misjudgment on the part of the police—I would at once admit that it would not be a ground for a Vote of Censure. But this is not the case. Our complaint is that every transaction of this kind is encouraged and sanctioned by the Chief Secretary for Ireland. It is because the right hon. Gentleman has, as my right hon. Friend has said, demoralised the police, and encouraged them in illegal acts by never cautioning them to abstain from illegal acts, that this has become so grave a matter—because he has led Magistrates and police to believe that no matter what they do they are sure to meet with his approval. This is why we have thought it our duty to protest against it in the House of Commons. I venture to say that in respect of these three charges the right hon. Gentleman has not only made no answer, but he has not even attempted to make any. What is the next charge? That he departs from the regular course in the administration of justice, and selects men to sit on the Bench, just as he packs a jury in order to secure a conviction. Then there comes the case of Mr. Shannon. The right hon. Gentleman has entirely evaded the gist of the charge. We had a very able speech, which I listened to with very great pleasure from a young Member of this House, the hon. Member for Dover (Mr. Wyndham)—a speech of great ability and promise. The hon. Member told us that Mr. Shannon had won all sorts of University distinctions. What has that to do with the case? The charge is that you selected a particular individual whom you knew, and must have known, to be on terms of personal enmity with the person he had to try. A more indecent, improper, and unjustifiable proceeding no Government was ever guilty of. Now, as to the tribunal, as distinguished from the individuals upon it. You might have sent these cases—grave cases, as you show by the manner in which you treat them, complicated cases for the Law of Conspiracy was involved—you might have sent them before the highest Judges of the land to be tried by juries who, the hon. Member for South Tyrone says, have not failed recently to do their duty; but instead of taking that course, you trust this trial upon the Plan of Campaign to two Magistrates selected by yourselves, men who were personally affected against the prisoners. That is the charge which we have brought against you, and to which you have made no answer at all. It is not the question whether the Plan of Campaign was right or wrong. I will admit, for the purpose of argument, that these men were the greatest offenders in the world, that the crimes which they had committed were the most heinous; but I say, whatever their crimes were, they were entitled by the law of this country to a fair trial. One of the charges against you, then, is that you packed your tribunal in order to secure a conviction against these men, whom you assert to have been guilty of heinous crimes. But if you believe that they were guilty of heinous crimes, why did not you bring them before a fitting tribunal — the Judges of the land? Why did not you give them trial by jury, to which they were entitled? I desire to bring clearly before the House the issue upon which we are going to divide. The hon. Member for South Tyrone, acting in the interests of the Government, has endeavoured to obscure that issue, but he will not obscure it in the eyes of the country. We have said that the exceptional law which you have obtained is administered in a harsh and illegal manner; we have said that you have perpetually encouraged your police and Magistrates to violate the law. That is the charge, and it has nothing whatever to do with your general policy or with the merits or demerits of the Plan of Campaign. The character of the law depends upon its administration and the spirit in which it is administered. Even a bad law well administered may operate less injuriously than a good law administered unscrupulously. You say that you have delivered Ireland by your policy. Well, Ireland must be a very ungrateful country, for I know no part of that country and no Party in that country that is willing to welcome its deliverers. We have heard of divisions amongst the Irish Party, and we had an election the other day at which there were two candidates; but why did not the Chief Secretary for Ireland offer himself as a third candidate, in order that the people whom he had emancipated might have an opportunity of voting for the man who had restored them to freedom? Even the First Lord of the Treasury, who for 24 hours was Secretary for Ireland, and who to-night gallantly came forward to explain a case about which he had no information—his courage would not fail him. Why did not he go and present himself as a candidate for Tipperary? If he would do so now I have no doubt that a vacancy would be made for him, and he might go and present himself to a grateful people as one of the men who had restored to them that freedom for which they were longing. Do you suppose this feeling exists in Ireland only? England also laughs at your pretences, at this freedom of yours of which you are so proud, which you carry out by the illegal violence of the police and by packed Benches of Magistrates. You may depend upon it that freedom of that kind is as alien to the sentiments of the English as to those of the Irish people. I can assure right hon. Gentlemen opposite that we shall be very willing at the General Election to submit to the electors the charges which the Government have not dared, and which you have not been able, to meet to-night.

*(12.19.) Mr. J. M'CARTHY (Londonderry): I shall not stand long between the House and the Division. In the first instance, I will endorse the suggestion just made by the right hon. Gentleman the Member for Derby, and I will undertake with great satisfaction to find a place for a contest in Ireland if any gentleman on the Treasury Bench proud of having delivered Ireland from the toils of the Nationalists will go over to Ireland to meet his reward. The hon. Member for Dover, in a speech which I listened to with interest and even admiration, has vindicated the appointment of Mr. Shannon on the ground that he obtained a gold medal for rhetoric—a curious qualification for a Police Magistrate, and a stranger reason why he should act as such against a personal opponent. If the Chief Secretary has not obtained a gold medal for rhetoric his speech of this evening entitles him to a bronze medal, because more than any preceding speech of the right hon. Gentleman the speech consisted of rhetoric which had nothing to do with the question. There was not a single word in that long speech of denunciation and prophecy which touched the plain, bare facts brought forward by the right hon. Member for Newcastle. The Chief Secretary could only give us that form of rhetoric known as the *tu quoque* argument—a form of argument which, often as it has been used before, has never been used so ineffectively as when adopted to justify the contention "What a bad man the prisoner was! It does not matter how the Court be constituted or whether the Judge be unjust, we knew before-

hand that the accused man was a dangerous person." The Chief Secretary has gone into all kinds of suppositions. He said it was the duty of the police to clear away from the Courthouse a drunken mob; and then he added that he did not say the mob was drunk, but admitted it was sober. Well, then, what is the use of speaking of a drunken mob? In the same way, when the right hon. Gentleman fancies that men may be inclined to make some violent speeches, he thinks it is only right to meet them half way. But what surprised me most of all was to hear the right hon. Gentleman find fault with anyone who would deal with cases still awaiting trial. The House has heard the right hon. Gentleman time after time, when cases in which the police are concerned have been coming under judicial investigation, defend everything that the police has done, sustaining it with all the force of his authority and influence. I do not think that a speech of the kind the right hon. Gentleman has made to-night will carry much weight, even with the present House of Commons. I agree with the right hon. Gentleman who spoke last that it is rather a pity that we have not had some expression of absolutely independent opinion, as it is called, on this question. I would like to have heard an expression of opinion on the speech of the right hon. Gentleman from Members who once belonged to the Liberal Party, and who raged and chafed against coercion at one time. I would like to have heard what one of them thinks of the defence by the right hon. Gentleman of the Removable Magistrates to-night. Even the hon. Member below me, the Member for the Bordesley Division of Birmingham, would be better than nothing. But we have heard not a word from them; they prefer to record their votes for the Government in silence. The right hon. Gentleman the Chief Secretary spoke of a certain class of people whose conscience was the creature of a General Election. I am inclined to join with him in the reprobation he cast upon them. I remember certain persons opposite whose conscience in the cause of Ireland was distinctly the creation of a General Election. At that time they shuddered at the idea of coercion; their consciences pricked them until certain eminent Members of their body found themselves goaded so far as to make them willing to go on the Home Rule question all the length desired by certain members of my Party and myself. Now, the right hon. Gentleman indulged largely in prophecy. I do not propose to follow his example. I shall only be prophetic to this extent: that if the time should come when another General Election gives them a small majority—I do not think it will be even so favourable to them—their consciences will once more induce them to put themselves forward as the true and devoted friends of the Irish people.

(12.22.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): I quite understand the wish of hon. Members opposite not to be detained long at this hour of the night, but I am anxious to bring their minds back to the exact question upon which we are going to divide. I am driven to do this by the remarks of the right hon. Gentleman the Member for Derby. Nothing could have given me greater satisfaction than that this Debate should have occurred, but I must say that it reminds me of the sword and buckler fights that used to occur in Alsatia in Queen Elizabeth's reign, when the combatants took care to strike each other's shields and helmets rather than each other's bodies. I could not help reflecting that, as Latin used to be got into the heads of boys by the blood of their backs, so an ex-Cabinet Minister, by coming *aux prises* with the police, has suddenly become imbued with zeal for the liberty of the public. All this energy, all this passion and fury, all this good argument the House has listened to from the various right hon. Gentlemen has been a little discounted in my opinion—and I know that the House will acquit me of being censorious when I think of so many grand opportunities in this country which have been omitted by those same right hon. Gentlemen of bringing forward similar Motions, when on similar occasions popular leaders, conductors of Trade Unions and others have been treated in this country, in which there is no Coercion Act, in an even worse fashion than those Irish Members and their followers. I fancy that the right hon. Gentleman the Member for Derby had an air of protesting too much in this matter. There came to my mind a similiar occasion when precisely similar circumstances arose here in London, when a Member of Parliament was submitted to precisely the same treatment. Hon. Members will acquit me of whining against that treatment — I knew what I had to expect, and I got it. But an hon. Member of this House was subjected to precisely the same treatment when, in my opinion, the police acted in as illegal, and perhaps more illegal fashion, and when the right hon. Member for Newcastle, that tribune of the Irish people, sat glued to his seat, when no persuasion, no hecklings, no sneers in the newspapers or lack of confidence by the public had the effect of drawing him out to say one word, because there was a great middle-class shopkeeper vote running the chance of being lost or imperilled here in London. Perhaps I do the right hon. Gentleman an injustice. He was perusing, or peradventure sleeping, or engaged in compiling duodecimo editions of the lives of those great men which have instructed us so much. Within the period of the last 18 months, in Liverpool, in Glasgow, in Cardiff, and various other places, labour leaders have been assailed by the police, meetings have been charged and broken up by them, and not one word of protest, as far as I am aware—I hope that I do the right hon. Gentleman an injustice—has been raised by right hon. Gentlemen on this side of the House, because I suppose they were running to the tape to learn the latest news of the Tipperary or Kilkenny elections. I assure the Irish Members that in speaking thus I do not speak in a manner hostile to either of their causes. I am assured by an hon. Member near me that he does not want my assurance. It is by the votes of the English working classes that Home Rule will be won, and I certainly speak for a section of that class. I believe the Opposition have brought this question forward merely as a stalking horse, which they hope will shield them from those social questions which are arising in England, and which they try to ignore by amusing themselves with Tipperary and Kilkenny.

Mr. Cuninghame Graham

(12.32.) The House divided:—Ayes 245; Noes 320.—(Div. List, No. 59.)

Question proposed, "That those words be there added."

(12.52.) MR. T. M. HEALY (Longford, N.): The Government majority are so much pleased with their success in regard to the Motion of the right hon. Gentleman that they will be most happy to devote some more time to debate with the object of affirming the congratulatory Motion of the hon. Member for South Tyrone (Mr. T. W. Russell). It seems to me most important and essential that further time should be allowed for its discussion. As far as I can remember, the only gentlemen connected with Ireland who have spoken in this Debate have been two or three. I do not think an hour has been occupied in presenting the Irish view of this question, and the Government really cannot expect us to allow the Resolution, which is one of first-class importance, to be affirmed without further Debate. They cannot expect us, who regard this matter as more than a mere formula to sit still with muzzled mouths as if we had been subjected to the rule of the Closure, when a Motion affirming that we are delighted with your proceedings is before the House. We are not delighted with them, and if you want to mark up in chalk numbers satisfaction with your proceedings you must pay for it in coin consisting of the time of this House. The Motion of the hon. Member for Newcastle was a distinct Motion limited to a particular subject. You chose to enlarge the ambit of the Debate, to put embroidery on it, and to do that, not by the medium of one of your own Members, but by one of the sling-behind-your-back. Three of these gentlemen are always behind your back. You get one of these back-a-behind gentlemen to move a Motion which not one of the Tory Party had the courage to move for himself. We have not even had the Liberal Unionist view of the question. I did not think the hon. Member for South Tyrone could do anything without his wires being pulled by the noble Marquess the Member for Rossendale, but the noble Lord has been silent. Where, too, is the right hon. Gentleman the Member for West Birmingham? Are we to understand the Member for South Tyrone can act, can dance without his strings being pulled by the Member for West Birminghan? As yet not a word has been said upon the principle of the Motion of the hon. Member for South Tyrone except what he has said himself. I am sure that not only will the House not feel surprised, but will be satisfied and delighted at the Motion which I have now the honour to make, which I see the First Lord anticipates with a smile, and under which the Chief Secretary looks absolutely happy. I think that, under all the circumstances of the case, the proper way to meet the Motion of the hon. Member for South Tyrone is to move that the Debate be now adjourned, and I have the honour to make that Motion.

(12.59.) SIR W. HARCOURT: I rise to second the Motion. In my opinion, it is not only a most reasonable, but a most necessary, Motion. If the Government, having been challenged upon a Vote of Censure, had had the courage to meet it face to face frankly they would have negatived the Motion of the right hon. Gentleman the Member for Newcastle; but, instead of that, they have gone and skulked under the gabardine of the hon. Member for South Tyrone. What is the Amendment we are asked to vote without discussion? This Amendment has absolutely nothing to do with the Motion of the right hon. Gentleman the Member for Newcastle. It says: "True; it may be that all you have said is perfectly well founded, but because we admire the Government, and for other reasons, therefore we will not censure them." But, if so, let us discuss this claim to admiration for the Government, which is raised as a perfectly new issue by the Amendment of the hon. Member for South Tyrone. There has been no Debate on the Amendment which is not germane to the Resolution. Both Irish and English Members have a right to debate that Resolution before it is put on the Journals of the House. Right hon. Gentlemen opposite may, if they choose, try the Closure on a question of confidence. If they do, they will achieve a position which no responsible Government has ever occupied in this House. If my hon. Friend goes to a Division I shall support him.

*(1.2.) MR. W. H. SMITH: The position taken by the right hon. Gentleman the Member for Derby is a little surprising. His leader complained that we were discussing the Amendment, and his charge against the Government was that they supported the Amendment of the hon. Member for South Tyrone in order to draw a red herring across the scent of the discussion upon the Motion of Censure of which the right hon. Gentleman the Member for Newcastle gave notice; but then comes the right hon. Gentleman the Member for Derby and says that Amendment has not been discussed at all, and that it would be a monstrous thing for the House to pass a Vote of Confidence in the Government when the only question discussed has been one on which the House, by a majority of 75, declined to pass a Vote of Want of Confidence in the Government. The right hon. Gentleman knows perfectly well that the Amendment had been on the Paper for a week, and every Member who spoke knew what it was he was speaking upon, as did the right hon. Gentleman himself.

SIR W. HARCOURT: I never said a word on the Amendment.

*MR. W. H. SMITH: The right hon. Gentleman addressed himself to the Debate as it had gone forward, and early in the Debate the right hon. Gentleman the Member for Mid Lothian referred specially to the Amendment of the hon. Member for South Tyrone. What was the understanding? That we should come to a decision to-night on the Vote of Censure proposed by the right hon. Member for Newcastle, which was to be met by the Amendment of the hon. Member for South Tyrone. That was a distinct understanding. It is a new thing for hon. Gentlemen who have been met by a majority such as has been displayed to refuse to make further progress in the ratification of the judgment of the House, and say they must have more time. The hon. Member for Longford has invited me to walk into his parlour, but I am sure the hon. Member would not be surprised if I decline to follow him. I must ask the House to ratify the judgment it has just expressed, and to add the words to the fragment of the Resolution of the right hon. Gentleman the Member for Newcastle which now remains on the Journals of the House.

(1.5.) SIR CHARLES RUSSELL (Hackney, S.): The Leader of the House is quite justified in saying that the House has refused, by a majority of 75, to pass a Vote of Censure on the Government, but the House has not said it is prepared to offer a universal benediction to all the proceedings of the Government. I think the Leader of the House is in error in the suggestion he made as to the view of the argument of my right hon. Friend the Member for Mid Lothian. It is true my right hon. Friend did refer to the Amendment, but only for the express purpose of pointing out that it was no answer to the original Motion.

(1.6.) MR. J. REDMOND: I join in pressing upon the Government the advisability of permitting a continuance of this Debate. I have heard from the Leader of the House a statement about an understanding, but I may say that for my part I know of no understanding entered into which would preclude Irish Members from debating the matter fully. The Motion of the right hon. Gentleman the Member for Newcastle raised a clear, definite and limited issue, and he did not by the terms of his Resolution raise any issue as to the merits of the transactions out of which the Tipperary prosecutions sprang. As I understood the Motion, it simply raised the question of certain proceedings of the Executive in connection with those prosecutions. But the hon. Member for South Tyrone has dragged in by his Amendment the extra matter out of which these prosecutions sprang; he has given his version of the facts and it would be a monstrous thing if we, who have a better knowledge of the facts, should be compelled to assent to this Amendment without further Debate. This Amendment opens far wider issues than the original Motion of the right hon. Gentleman the Member for Newcastle. I sincerely trust the Motion for adjournment will be pressed and I think the Leader of the House would be consulting the general convenience and would be only acting fairly towards those who are best acquainted with the proceedings referred to in the Amendment and desire to take part in the Debate, to agree to the adjournment of the discussion upon a Motion for which the Government are really responsible.

(1.9.) MR. SEXTON (Belfast, W.): As reference has been made to an understanding arrived at, it is well that it should be made clear that none of the Members in this part of the House are responsible for any arrangement as to the time to be occupied in this Debate. I need only remind the House of what took place at question time to-day, when the Leader of the House was pressed to say if he would yield to a substantial desire that the Debate should not close to-night but be allowed to go over to Thursday. I think it must be admitted there is just cogency in the argument that the Amendment of the hon. Member for South Tyrone raises a much broader issue than that of the Motion of the right hon. Gentleman the Member for Newcastle, and it would be most unfair to ask the House to accept it without further discussion. It will be observed that the Amendment departs entirely from the terms of the original Motion, and though the right hon. Gentleman has amiably declined to accept the invitation to walk into the parlour of my hon. Friend, a little reflection will show that the invitation is of such a pressing nature he can scarcely refuse it. It will be observed that as the result of the last Division the House has decided to leave out certain words, and before us now is the question whether certain words proposed by the hon. Member for South Tyrone shall be added. It will be apparent that it is open to us to move to amend the proposed words by insertions in any part, or additions at the end; and though I do not wish now to introduce such matters of controversy, it will be seen that the words proposed by the hon. Member are happily adapted to various and extensive Amendments. Under the circumstances, I think the right hon. Gentleman, unless he is prepared to apply the Closure on the first night of a Debate upon a Vote of Censure, will accede to the reasonable demand made by my hon. Friend.

(1.14.) MR. CONYBEARE (Cornwall, Camborne): I suppose if the Government are anxious to make an all-night sitting of it the only objections will arise from among their own supporters. Such is likely to be the result if the right hon. Gentleman persists in his refusal to accept the reasonable proposition made, and it is for him to consider whether such a proceeding will best conduce to expediting public business. I wish to endorse what has been said by my hon. Friend behind me as to there being an undertaking that Debate should close to-night. I protest against this undertaking being cast in our teeth. We recognise no such time bargains below the Gangway, and I distinctly decline to be bound by any engagement entered into by the Whips on the two Front Benches. The right hon. Gentleman must be prepared to meet Amendment after Amendment to the Motion in its new form. There is no reason why the question should be disposed of in a hurry, and the original intention was that the Debate should not close until Thursday. It was only to meet some supposed exigencies of Members on this side that there was any idea of closing the Debate to-night, and as those exigencies have passed away, there is no longer a sufficient motive for closing the Debate to-night. We cannot be justly charged with any disinclination to forward public business, for we stand in an almost unprecedented position as regards public business, and the Government have deliberately wasted time, partly by allowing the House to be counted out and partly by placing before us trivial and unimportant matters. It is ridiculous to pretend there is any pressing urgency for this Debate to close to-night. Whatever may be the result of this Motion for adjournment, I hope hon. Members on this side will make up their minds to the enjoyment of an all-night sitting in resistance to the attempt to thrust this Amendment upon the House. Few Members on this side have taken part in the Debate, most of the time having been occupied in lengthy speeches from the hon. Member for South Tyrone, the Chief Secretary and others; and considering that only three Irish Members have spoken and no English Radical Member from below the Gangway, it is obvious that there is ample material for further Debate.

(1.20.) MR. J. MORLEY: On this occasion, an on many others, there are three courses that may be taken. The Debate may be adjourned or it may be continued, or it may be closured. To continue the Debate at this hour would be extremely inconvenient. To closure it would be almost impossible. The Resolution before the House is practically a new Motion. It is a new question submitted to the House, and that question ought clearly to be susceptible of Amendment. If hon. Gentlemen below the Gangway should think fit to move an Amendment, rightly or wrongly, it is surely their right to do so. It seems clear, therefore, that to resort to the Closure would be without precedent and could not reasonably be defended. The only remaining course then is to adjourn the Debate.

(1.21.) MR. A. J. BALFOUR: The Motion now before the House relates more particularly to myself than to other Members of the Government. May I, then, remind the House of that which appears to be systematically ignored, that the arrangement that we should divide to-night upon the whole matter was arrived at by those well recognised means of communication between parties in this House? I do not know how far the ordinary channels of communication with the Irish Members have been dislocated: there may have been some mistake as far as the Irish Members are concerned; but undoubtedly there was a distinct understanding with the Front Opposition Bench. I cannot see how the Parliamentary Business of the future is to be conducted if understandings of this kind are to be abandoned upon any flimsy pretext. If the House will be at all guided by me, I would say that the matter is not worth wrangling about. The Vote of Censure having been negatived by an overwhelming majority, it is a matter of perfect indifference to me whether the House passes an Amendment eulogising the conduct of the Government. The point is not worth wrangling about, and the sooner we go home to bed the better; but I would earnestly suggest to those who are responsible for the conduct of the business of the House outside the Government Benches that this kind of procedure—I will not call it sharp practice—this departure from honourable understanding, is a bad precedent, and will certainly lead to inconvenience in the future.

*(1.24.) MR. ARNOLD MORLEY (Nottingham, E.): I must apologise for intervening in this discussion, because Members of the House occupying the position I do are not usually called upon to address the House upon these topics; and I only depart from the usual custom out of respect to hon. Members, to state what happened on this occasion. For five years I have been accustomed to meet the Patronage Secretary to the Treasury, and make arrangements with him; and I do not believe that he will suggest there has ever been any breach of good faith between us. The original intention of my right hon. Friend the Member for Newcastle was to raise a Debate of a far more extended character than that indicated by his Motion, and hon. Members will remember that at that time two days were allotted to the Debate; but when the Motion was limited in its scope, I did inform the hon. Gentleman the Patronage Secretary that the right hon. Member for Newcastle intended to confine himself to the Tipperary incidents, and, so far as the Front Opposition Bench was concerned, it was believed one night would be sufficient for the Debate. But I stated that, of course, events might happen in the course of the Debate which would render an extension of time necessary, although, as far as the Motion itself was concerned, one night would be sufficient. As the House is well aware, upon that Motion an Amendment has been moved. The arrangement was that a Division on the Motion of my right hon. Friend should be taken at the end of the first night's Debate, and it has been taken a few minutes ago.

(1.26.) MR. AKERS-DOUGLAS (Kent, St. Augustine's): I was not in the House when my hon. Friend rose, and I did not hear his opening remarks, but I certainly understood that the arrangement was to be applied to the whole of the Debate, both on the Motion and on the Amendment which was then on the Paper. I certainly should have demurred to any understanding which would have divided the two. I certainly understood my hon. Friend to mean that the whole question was to be decided to-night, and that is borne out by the fact that the Amendment of the hon. Member for South Tyrone was on the Paper at the time the arrangement was made.

(1.27.) MR. ILLINGWORTH (Bradford, W.): I suppose we are now to understand from the remarks of the Chief Secretary that the Amendment of the hon. Member for South Tyrone, having served its purpose, is to be thrown overboard? But for the tortuous policy pursued this difficulty would not have arisen. But I suppose we may be now satisfied as well as the hon. Member for South Tyrone.

(1.28.) MR. T. M. HEALY: I can only speak with the leave of the House, but may I say that I thought the Motion for Adjournment was agreed to by the Government. I am ready to withdraw my Motion if I understand the hon. Member for South Tyrone withdraws his Amendment.

(1.28.) MR. T. W. RUSSELL (Tyrone, S.): I can only say my Amendment is before the House; the House can do what it likes with it, but I shall certainly not withdraw it.

(1.30.) Question put, and agreed to.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 182.)

Considered in Committee.

(In the Committee.)

Clause 1.

(1.37.) MR. T. M. HEALY (Longford, N.): The hon. and learned Attorney General has brought in this Bill for four years in succession, and he has never succeeded in carrying it, because he has not tried to meet the views of hon. Members from Ireland. We are all most anxious that some Bill of this kind should be passed. In Ireland there is a series of decisions such as is utterly unknown and I believe is abhorrent to the English law. If this Bill is pressed forward in its present shape we will move Amendment after Amendment of capital importance, so that it will again become impossible for the hon. and learned Gentleman to pass it. I will therefore ask him and the Attorney General for Ireland to be good enough to study the extraordinary decisions that have been given in Ireland, and to endeavour to make the law in that country conformable with good sense.

(1.38.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I am not aware that there are any decisions in Ireland conflicting with the scope of this Bill. Of course if there are such decisions I will look into the matter.

(1.39.) MR. CONYBEARE (Cornwall, Camborne): This Bill—as I mentioned to the House the other night—will do a great deal more in the way of disenfranchisement than it will do in the way of enfranchisement, and it will be my duty to put down Amendments. I have put down some to-night, and I hope to put down others later on. In view of the statement now made by the hon. Member for Longford that the Bill does not meet with unanimous approval, we must object to its being rushed through, and must claim time to consider important Amendments.

Committee report Progress; to sit again upon Thursday.

ARCHDEACONRY OF CORNWALL BILL.

[H.L.]—(No. 177.)

Order for Committee read.

(1.42.) MR. H. H. FOWLER (Wolverhampton, E.): I beg to move that this House do now adjourn.

*MR. SPEAKER: It is impossible to move the adjournment of the House before the Orders are disposed of, unless the Government make the Motion.

MR. H. H. FOWLER (who spoke amid *cries of* "Order!"): I desire to raise a question of principle. There is a distinct understanding that our proceedings shall terminate at 1 o'clock. The Standing Orders have been suspended in order to allow the Debate on the Vote of Censure to conclude, but it is now nearly 2 o'clock. I know it is for the convenience of the Officials of the House that the Orders of the day should be disposed of, but it is now 20 minutes to 2 o'clock, and the House, in passing the Standing Order with regard to the 12 o'clock Rule, has not intended that the sitting shall be prolonged beyond 1 o'clock. To sit later is breaking faith with the House as to this Order. I differ, and always have done, from the construction placed on the Standing Order. I have maintained —though I know I am wrong—that the House should adjourn at 1 o'clock, and that it ought to be impossible for us to be sitting here at nearly 2 o'clock giving hon. Members an opportunity for advancing Bills which are opposed by hon. Members who are absent. Unless you take the strong course, Sir, of ruling me out of order——

*(1.45.) MR. SPEAKER: Order, order! The right hon. Gentleman is not entitled to talk about my taking a "strong course" in my interpretation of the Standing Orders. The Standing Order that guides me is that which provides that after any business exempted from the Standing Order "Sittings of the House" is disposed of, the business remaining on the Paper shall be dealt with under rules applicable to the ordinary proceedings of the House after 12 o'clock. That is to say, business will proceed unless objection is taken, such objection being sufficient to arrest further progress. When an Order of the Day stands for Committee I am bound to leave the Chair without putting any question, therefore, in a certain sense, a Bill which goes into Committee for the first time is advanced a stage.

MR. H. H. FOWLER: I did not mean, Sir, to place the same construction on the words "strong course" which you have very justly put upon them, and I at once withdraw them. But what I want to ask is whether it is not competent for any Member after 12 o'clock to move that the House do now adjourn.

*MR. SPEAKER: It is competent, no doubt, to make that Motion between two orders of the day.

MR. T. M. HEALY (Longford, N.): We are all indebted to you, Sir, for the wisdom of your rulings. I would point out that when the House goes into Committee and Mr. Courtney is in the Chair the Motion to bring business to a termination is that the Chairman report Progress, and I would ask whether, if a Member were to move that the Chairman leave the Chair, that would not have the effect of setting up the Order in its old place? But then comes the point; how can a Member move that if it is objected to? Should not objection be taken before the Committee stage is reached?

*MR. SPEAKER: The first question would be to report Progress, and on that the Bill would be deferred, if objection were taken.

MR. CONYBEARE (Cornwall, Camborne): The next Order on the Paper is the Archdeaconry of Cornwall Bill. Should I not be in order in moving that the House do now adjourn?

*MR. SPEAKER: The hon. Member can take the opinion of the House on that question.

MR. CONYBEARE: Then I make the Motion, that the House do now adjourn. [*Cries of* "No."]

*MR. SPEAKER: The Motion is objected to. I cannot put it.

Committee deferred till Thursday.

MOTIONS.

WILD BIRDS PROTECTION ACT (1880) AMENDMENT BILL.

On Motion of Mr. Alfred Pease, Bill to amend "The Wild Birds Protection Act, 1880," ordered to be brought in by Mr. Alfred Pease, Mr. Arthur Acland, Mr. Asquith, Colonel Dawnay, Sir Edward Grey, Marquess of Granby, and Mr. Sydney Buxton.

Bill presented, and read first time. [Bill 213.]

POSTAL DISTRIBUTION OF PRINTED PUBLICATIONS BILL.

On Motion of Mr. Howard Vincent, Bill to provide further facilities for the distribution of Newspapers and other Printed Publications through the Post, ordered to be brought in by Mr. Howard Vincent, Mr. Henniker Heaton, Mr. Leng, Mr. George Dixon, and Mr. Justin Huntly M'Carthy.

Bill presented, and read first time. [Bill 214.]

BILLS OF SALE ACT (1890) AMENDMENT BILL.

On Motion of Mr. Cross, Bill to amend "The Bills of Sale Act 1890," ordered to be brought in by Mr. Cross, Mr. W. F. Lawrence, Mr. Rathbone, Mr. Royden, and Mr. Whitley.

Bill presented, and read first time. [Bill 215.]

COMMONS.

Ordered (Feb. 13)—

That a Select Committee be appointed to consider every Report made by the Board of Agriculture, certifying the expediency of any Provisional Order for the enclosure or regulation of a Common, and presented to the House during the last or present Sessions, before a Bill be brought in for the confirmation of such Order.

Ordered, That it be an Instruction to the Committee that they have power, in respect of each such Provisional Order, to inquire and Report to the House whether the same should be confirmed by Parliament; and, if so, whether with or without modification, and, in the event of their being of opinion that the same should not be confirmed, except subject to modifications, to report such modifications accordingly with a view to such Provisional Order being remitted to the Board of Agriculture.

Ordered, That the Committee do consist of Twelve Members, Seven to be nominated by the House, and Five by the Committee of Selection.

Sir Walter Barttelot, Mr. Bryce, Mr. Walter James, Mr. Jeffreys, Mr. Roche, Mr. Story-Maskelyne, and Mr. Wroughton were accordingly nominated Members of the said Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)

CUSTODY OF CHILDREN BILL [LORDS.]

Bill read the first time; to be read a second time upon Thursday next, and to be printed. [Bill 216.]

CHARITABLE TRUSTS BILL.—(No 129.)

Order for Second Reading upon Tuesday, 17th March, read and discharged.

Bill withdrawn.

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at ten minutes before Two o'clock.

HOUSE OF LORDS,

Tuesday, 17th February, 1891.

INTERMEDIATE SCHOOLS, &c., SITES BILL (H.L.).—(No. 3.)

Committed to a Committee of the Whole House on Friday next.

WOMEN'S SUFFRAGE BILL (H.L.). (No. 37.)

Order of the Day for the Second Reading, read.

Lord DENMAN: My Lords, it seems somewhat superfluous in me, after now some years of disappointment, to raise this question again. The noble Marquess at the head of the Government gave me two days at the time of the introduction of the Representation of the People Bill, so that I was enabled to introduce an Amendment which would have made all other Bills on the subject unnecessary. In 1886 I ventured to trouble the House on the subject. I was most courteously treated by the noble and learned Lord on the Woolsack, and I wished that nothing but his Lordship's speech should appear in the Report, but Mr. Hansard insisted upon reporting the whole of my speech, whether I wished it or not. I would remind your Lordships of the way in which this question has been dealt with in India. On one occasion I laid on the Table of the House a measure upon which M. Bignon had made a speech in the French Chamber of Deputies as to the persecution of women, and I know that that was extensively circulated. On this occasion I shall lay upon the Table of the House the report of an address to the Undergraduates of the Madras University by the Principal of the College there. The words which he uses are most impressive. He says: "To educate men you must also educate women." This, my Lords, is a very comprehensive Bill, and it would do away with the necessity for another which I introduced with regard to the power of women to vote at Municipal elections in Ireland, because it embodies that power. In reference to that measure, I could only get an answer two years in succession, from the Lord Privy Seal that it was intended to introduce a very extensive measure of local government for Ireland. That measure has not yet appeared. The late Duke of Buckingham said that it was a step in advance towards women's suffrage, but it appears to me that was a very great mistake, because no woman with a £10 ownership could have the privilege of voting. But I have not been careless of the effect of this measure, because I do not forget that in the Local Government Act there will be a triennial election for all County Councils. It was a very great evil that the hasty way in which the former Bill was passed prevented all due consideration by your Lordships' House of that measure. A speech was made for me by the reporters, not one word of which did I utter. However, the opinion of the majority of the House was in favour of the measure. I am not going into that question again. The system adopted in reference to the Grand Committees impairs the usefulness of every Member of this House, and your Lordships have not the same control as if you were satisfied in Committee of the whole House. It is open now, through the great and useful change in the Standing Orders, for noble Lords to say whether matters shall be so dealt with or not. It is a very narrow system to have these elections to Grand Committees; you do not know what they are doing, and it is impossible for business to be conducted on a sound basis unless every Member of the House has an opportunity of seeing what is done. I humbly venture to differ from the objection of the noble Marquess that measures affecting the interests of the other House of Parliament should not originate in this House. What was the Septennial Bill, which was originated by the ancestor of the Duke of Devonshire, in this House? That was a most useful measure, and if it were not that it exists we should have a General Election this year. Sometimes there is a difficulty with the Clerk of the Table about money Bills, but it is really not at all in accordance with the principles of the Constitution. I may remind your Lordships that one most important measure was a money Bill, because it gave a salary to six paid members of the Judicial Committee. I trust that if Mr. Haldane's Bill comes to this House it will have due consideration.

I think that every Bill should have the fullest consideration from this House by whomsoever it may be introduced. I am at very great disadvantage in bringing forward this question. I have been always blamed for doing so; but at the same time I thought I obtained the great support of Lord Carnarvon and Lord Wentworth, and I certainly was not without a teller. But I am not one to be discouraged by being alone in any measure that I venture to advocate. The abrogation of Standing Orders by Resolution has been an evil in this House since the year 1856. Both sides of the House agreed in passing measures which afterwards fell to the ground. But it is not known at the time what noble Lords are present in the House, that can only be ascertained from the Journals of the House on the occasion of a Bill being carried to a division. I am really anxious that there should be reciprocity between the two Houses, and I believe it to be possible that we may by communication with each other very much shorten the duration of Sessions of Parliament. I am sorry again that this question will benefit nothing from the feeble advocacy by which I have endeavoured to support it. I may say in reference to the present Bill that I have ceased to receive petitions from duly qualified women, but I know that Miss Becker was particularly anxious that there should be agitation in the House of Commons in order to carry out this measure. Why should it be said that your Lordships are unwilling to allow women householders to vote if you admit ladies into the Gallery and treat them with courtesy? And surely they are better judges of the qualities of candidates for membership of Parliament than many who now have votes. We have given votes to our servants who occupy their own houses. In 1869 there was a change made as to the right of women to vote at Municipal elections, and more power was given them in unincorporate than in corporate towns. I humbly beg your Lordships to give a Second Reading to this measure, and I hope it is not presumptuous in me to suppose that you will carry it. I know from my correspondence with the noble Marquess that he would be desirous to equalise the Municipal franchise for all women. The lodger franchise is possessed by those who do not pay rates, but women are often householders paying rates and taxes. There is a question also as to married women voting. Certainly if women pay rates and taxes there should be no objection to their having votes. They have many duties in which they are associated with men. I believe also that they are strong political partisans. There would be much less difficulty in getting Irish enthusiasts to cease agitation if they could see that we know how to get rid of agitation ourselves. I am a very old man and I hope that nothing I have done will affect your decision in this matter. I feel that I have done my duty with impartiality in this respect. I have often heard Mrs. McLaren, the sister of John Bright, in Edinburgh, and Mrs. Fawcett in London, and I am sure that their counsels can always be acted upon although they do not wish to appear in Parliament themselves. In the old times the abbesses were represented in Parliament by proxies, and I am very sorry that proxies are no longer used in this House, because I think the opinion of the best men in the country is in favour of voting by proxy. However, that is past. I have introduced a measure against lengthened speeches and I hope I have not occupied your Lordships' time much beyond the hour when Debates formally begin. I beg to move that this Bill be now read a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Denman.*)

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, there are very few subjects which the noble Lord has not touched upon in the course of his speech. I shall not imitate him in its discursive scope, but will confine myself to repeating the reason which I have previously had the honour of laying before your Lordships, for rejecting this Bill, that it is against the comity of Parliament for one House to undertake the reconstruction of the constitution of the other House. I should think it very unwise, and very unbecoming for us to set the example of departure from so wholesome a rule. Without expressing any opinion on the main question involved in the

Bill. I beg to move that it be read a second time this day six months.

Amendment moved, to leave out ("now,") and add at the end of the Motion (" this day six months.")—(*The Marquess of Salisbury.*)

On question, whether the word ("now") shall stand part of the motion, resolved in the negative; and Bill to be read 2^a this day six months.

LOCAL GOVERNMENT ACT, 1888. (MEDICAL OFFICERS OF HEALTH.)

THE EARL OF DUNRAVEN, in rising to ask Her Majesty's Government as to the powers and duties of a Medical Officer of Health appointed by a County Council under Section 17 of the Local Government Act, 1888; and to move for a Return of the medical officers appointed, and the Councils appointing them; and also for a Return showing the representations, if any, made to the Local Government Board under Section 19 of the Act, and the results of such representations, said: My Lords, I rise to ask the noble Lord who represents the Local Government Board whether he can give me some definite information as to the powers and duties of Medical Officers of Health appointed by County Councils; and I should be glad if, at the same time, he could also give me some information as to the powers of the County Councils in the matter. We may be preternaturally stupid in requiring any information on the subject, but it appears to me it is very difficult to gather from the Local Government Act what the powers of medical officers appointed by the County Councils are, or what powers the County Councils themselves have. That Act states that the County Councils can appoint Medical Officers of Health, and it is provided that by arrangement with the District Councils their services can be rendered available; and pending the institution of District Councils they could make, I presume, some arrangements with the Urban or Rural Sanitary Authorities. But what those arrangements were, the Act does not specify, and it is impossible to find out. As far as I can gather from the Act, the only action the County Council can take on a Report of a Medical Officer of Health appointed by it would be similar to the action it can take in reference to the report of an ordinary district Medical Officer of Health; that is to say, it can make a representation to the Local Government Board. Of course, any other body or individual can make a representation to the Local Government Board. If an individual does so, the result I fancy generally is that he obtains a large amount of explanation to a minimum of action—the minimum amount of results which can be obtained from the maximum amount of correspondence. I do not mean to challenge the action of the Local Government Board in all cases, because if the Board were to exercise practical supervision over all bodies in all matters which may be brought before it, it would have an amount of work to do which it could not possibly perform. But if that is the only power which the County Councils have in the matter, I do not think they have the power they should possess. The County Councils should have the means of rendering their opinions effective, and it does not appear to me that what the powers of Medical Officers of Health are is at all apparent from the Act. I wish also to move for a Return of the medical officers appointed and the Councils appointing them; and also for a Return showing the representations, if any, made to the Local Government Board under Section 19 of the Act, and the results of such representations. I do not imagine the Return would be very voluminous, and I hope the noble Lord who represents the Local Government Board in this House will have no objection to granting it. If the noble Lord can give me, now, the information I want, I shall be very glad to receive it in that shape, instead of in the form of a Parliamentary Return.

*EARL STANHOPE: My Lords, this question of my noble Friend's seems to be a very practical one, and I trust that the Government will give the Return that he asks for. As far as I am aware, Section 17 of the Act has never been acted upon, and remains a dead letter. Living in a populous county, the County of Kent, I am able to state what is done there. The Medical Officer of Health is appointed by and for groups of Unions; he reports to those Unions separately, and they take action in the matter if they think fit; but, as far as I am aware neither in Kent nor in any other county has action been taken under Section 17. And, indeed, if action had been so taken, and medical officers had been appointed by each County Council in England, I am very doubtful whether any Report under Section 19 would have any effect whatever, because, as my noble Friend has pointed out, under Section 19 of the Act, only "a representation" can be made to the Local Government Board; but it does not say that any action can be taken by the Council. Being myself a member of the County Council of my county, I am anxious to know how far this clause has been acted upon, and I trust, therefore, that the Motion of the noble Lord for a Return on the subject will be assented to.

*LORD THRING: I can state that in the case of our County Council, in the County of Surrey, at all events, a Medical Officer of Health has been appointed. I agree that the section requires amendment, and that the powers possessed by the medical officers must be put in proper form, and, as far as necessary, increased.

*LORD HENNIKER: My Lords, in answer to the question of my noble Friend, asking what has been done under Sections 17 and 19 of the Local Government Act of 1888, it is quite true that under the 17th section of the Act, the County Councils have the power to appoint one or more Medical Officers of Health within their jurisdiction. The Local Government Board are aware that such appointments have been made by some of the County Councils, but there is no obligation whatever on the part of any of the Councils to report to the Local Government Board as to any appointments they make. We have, therefore, no complete list at the offices of the Local Government Board of the cases in which Medical Officers of Health have been appointed. The statute, too, does not in any way prescribe the duties which are to be performed by these officers; nor has the Local Government Board any power whatever to define their duties. In each case the duties must be such as the County Council may choose to lay down when making the appointment. I have no objection to offer on the part of Her Majesty's Government to the Motion of the noble Earl for the Return he asks for of the medical officers appointed, and of the County Councils appointing them under Section 17. Then as regards the question respecting Clause 19, as to representations that have been made to the Local Government Board under this section. Such representations by County Councils have been made from the West Riding of Yorkshire, and by the County Councils of Wiltshire, Surrey, West Suffolk and Durham. These representations have had reference in every case to the sanitary defects which have been specified in reports of the Local Medical Officers of Health. With respect to four of those districts, the Local Government Board have directed an inspection to be made by one of their Medical Inspectors. In other cases, they have been in correspondence with the Sanitary Authorities and with the County Councils. This correspondence is still proceeding in the majority of cases, with regard to the districts concerned. If the noble Earl wishes to move for a Return of these representations, as he suggests, I, on the part of the Local Government Board, will consent to their being granted; but while I give that consent, I must remind the noble Earl what I have said already, that the correspondence upon the subject is still very incomplete.

*LORD THRING: I would also ask the noble Lord whether the Government are not prepared to amend the section of the Local Government Act of 1888 relating to the duties of County Medical Officers of Health. At the present moment several counties—as I have said before, for example, the County of Surrey—have appointed these medical officers because they think it their duty in the interests of their counties to take a step towards improving the sanitary condition of the districts under their jurisdiction. But it is, I think, the duty of the Government to supply a manifest defect in the powers of the medical officers. No proper powers are conferred upon them. They ought to have jurisdiction given them over various sanitary matters. The extent of that jurisdiction is a question for Her Majesty's Government, and what I desire to ask the noble Lord is whether the Government are or are not prepared to amend the Act of 1888 for the purpose of extending and defining the duties of Medical Officers of Health.

*LORD HENNIKER: I must ask my noble Friend the noble Lord opposite to give me notice of this question. I can hardly take upon myself to give him an answer to it without notice.

THE EARL OF DUNRAVEN: I should be glad to have the second of the Returns I desired as there is no objection made, because I think the correspondence which has been going on with the Local Government Board has been terminated for some time. I did not quite clearly understand the noble Lord as to whether he could give the Return which I first asked for as to the Medical Officers of Health that have been appointed by the County Councils, and of the County Councils who have appointed them. I understood him in the first instance to say that the Local Government Board had of necessity no cognisance of those appointments. Am I right in understanding that?

*LORD HENNIKER: Yes.

Ordered to be laid before the House,

"Return of the Medical Officers of Health appointed by County Councils under Section 17 of the Local Government Act, 1888, and the Councils appointing them; and Return showing the representations, if any, made to the Local Government Board under Section 19 of the Act, and the results of such representations."—(The Lord Kenry, *E. Dunraven and Mount-Earl.*)

NEWFOUNDLAND FISHERY QUESTION.

QUESTION—OBSERVATIONS.

THE EARL OF DUNRAVEN in rising to ask the Secretary of State for the Colonies when it is proposed to lay upon the Table of the House Papers relating to the fishery question in Newfoundland, said: I must apologise to your Lordships for intruding so much upon the golden silence which generally pervades this House, but I think this matter (which I will allude to very briefly) is of some importance. I will not for a moment go into the general question, more than a century old, of the difficulties with regard to French fishery rights in Newfoundland, and I will not touch upon the fascinating theme of the *modus vivendi*, or even indulge in a few remarks upon interesting questions in Natural History as to whether lobsters are fish or birds or wild beasts, or anything of that kind. Your Lordships will be aware that in Parliament, and I think throughout the country generally, or at any rate among those Members of Parliament and other individuals in the country who are aware of the existence of our Colonies, there has been considerable interest excited of late by accounts of a somewhat sensational character which have appeared in the newspapers. A great deal of excitement appears lately to have been raised in the Island of Newfoundland on the subject. I have seen extracts from the local papers, and from Canadian papers, stating, for instance, that it was proposed by Her Majesty's Government to cede absolutely to France a large portion of territory, a considerable peninsula in the Island of Newfoundland; and according to the newspapers the legislature in Newfoundland has quite recently passed Resolutions strongly condemning the whole action of Her Majesty's Government in refusing assent to a Bill to make operative certain provisions entered into by Newfoundland and the United States with the consent of Her Majesty's Government, and which were satisfying to Newfoundland. Those are matters important of themselves, and with which obviously great principles of local self-government and freedom are connected; and I think it would be well that some definite information upon the subject should be given—that Parliament and the nation should be put in the way of obtaining some information upon these points. If the noble Lord who represents the colonies can give information on these points, I shall be very glad. If on the other hand he considers it inadvisable, pending the production of Papers, to give information to the House, I can only say that I hope the correspondence upon this subject will be laid upon the Table of this House as soon as may be convenient. I would only add that in asking the question I wish to be clearly understood in saying that I should be the last man in the world to ask for any information the statement of which would be in the slightest degree premature, or that could in any way add the slightest difficulty to the very complicated matters, which have arisen out of this Newfoundland Fisheries question. If the Papers can be laid on the Table without any detriment to the public interest I trust that Her Majesty's Government will take the present opportunity of doing so.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, I am not surprised at the noble

Earl's bringing this question before your Lordships. There can be no doubt of the importance of it. I think it hardly necessary to refute the rumours to which the noble Earl alluded with respect to Her Majesty's Government proposing cession of any part of the colony to France. I may inform him, in reply to his question, that Papers on the general questions affecting Newfoundland are in preparation, and will be laid on the Table, I hope, in a few days, in continuation of the Paper which was presented in June last with respect to these questions. I think the number was C, 6,044. As to the other point, the draft Convention between Newfoundland and the United States, I may also inform the noble Earl that we are preparing Papers to be laid before Parliament. But perhaps your Lordships will allow me to state that considerable misapprehension has arisen in Newfoundland as to the exact position of Her Majesty's Government with respect to that Convention, and that the misapprehension which prevails accounts for the Resolutions which I dare say your Lordships have seen in the newspapers, couched in very strong language and condemning Her Majesty's Government for having broken solemn engagements and obligations to sanction the convention. Let me say that there can be no breach of any solemn engagement or obligation, inasmuch as no such engagement or obligation has been entered into by Her Majesty's Government. I will explain to your Lordships how this misapprehension has arisen. There is no objection in principle to a separate negotiation between a foreign Power and an individual colony with the sanction of Her Majesty's Government. It may be quite possible in some cases to be able to secure to the colony the advantages which it desires, by an arrangement without interfering prejudicially with the interests of other parts of the Empire which are not parties to that arrangement. But the mere fact of consent being given by Her Majesty's Government for the time being to a colony to negotiate a separate arrangement is always subject to a well-understood and well-recognised principle, condition, and reservation, that when draft terms have been settled between the Representative of the colony and a foreign State, then Her Majesty's Government must consider those terms, and see how far they affect other interests, British or Colonial—that is to say, the leave given to negotiate does not carry with it an obligation or an engagement to sanction the arrangement when made. Now, it was subject to this well-understood condition that Her Majesty's Government, at the request of the Newfoundland Government, readily assented to Mr. Bond, who was one of the colonial delegates here, and who is also one of the Government of Newfoundland, going to Washington. The visit was unofficial. Mr. Bond had no instructions from Her Majesty's Government, but it was made for the purpose of communicating with Her Majesty's Minister at Washington to see what terms and what arrangement could be entered into which would be acceptable to the United States as well as to the colony. Certain terms were agreed upon and drafted, and then, as I have pointed out, it became the duty of Her Majesty's Government to consider those terms, and to see how far, if at all, they conflicted with the interests of other British colonies. Accordingly, the Government communicated with Canada, and the Dominion Government very strongly protested against that Convention being concluded. I will not now dwell upon the nature of that protest, or on the reasons which the Dominion Government advanced, because they will be found in the Papers which we shall very soon present to Parliament. But Her Majesty's Government, after full consideration, have arrived at the decision that the Convention, as to the feasibility of which Mr. Bond was permitted to consult informally with Her Majesty's Minister at Washington, cannot at the present time be concluded. In arriving at this decision Her Majesty's Government have broken no engagement or obligation; and I trust I have satisfied your Lordships on this point, and made it clear that it is a misapprehension as to the position of Her Majesty's Government that has brought down these very strong Resolutions of the Newfoundland Legislature condemning Her Majesty's Government.

THE EARL OF KIMBERLEY: I should like to ask the noble Lord the Secretary for the Colonies whether the correspondence with regard to this Convention is to be included in the Papers to be laid before us, because it would, of course, be very wrong and indeed impossible to form a judgment upon the matter without knowing precisely what form the negotiations took. I quite comprehend the position laid down by the noble Lord—namely, that all these agreements must be subject to the sanction and approval of Her Majesty's Government. At the same time, I am sure the noble Lord will agree with me that in order to prevent friction in negotiations which must always be very delicate in their nature, it is desirable to ascertain as far as possible beforehand, whether it is likely that the Convention which may be proposed is one which could be sanctioned. Of course points may arise afterwards which could not be anticipated or considered at first, but in these cases there is always very great danger of the colony, if they find that Government ultimately disapproves of what has been done, being very dissatisfied, and saying that it ought to be assented to. I quite agree with the principle which the noble Lord lays down, that Government could not beforehand pledge itself to accept any terms which may be arrived at in such circumstances; but I am sure the noble Lord will be of my opinion that it is necessary to avoid friction as far as possible. I entirely abstain from offering any opinion upon what has taken place except to regret that the Legislature of Newfoundland should have felt offended at what has occurred, but I shall be quite prepared to find that the noble Lord has done everything in the matter. My object in rising really was to ask the noble Lord whether those Papers can be included in those which will be presented to your Lordships.

*LORD KNUTSFORD: I am afraid I did not quite make myself understood. I answered the Question put that the Papers on the general subject will be presented, and then also that the Papers relating to this Convention for which the noble Earl asks will be presented in a separate Paper. I fully recognise the importance of the remarks he has made, and I regret that there should have been any friction in this instance between ourselves and the colony, but I deny that we were in the wrong.

House adjourned at twenty minutes past Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 17th February, 1891.

PRIVATE BUSINESS.

WOLVERHAMPTON CORPORATION BILL—(*by Order*).

Motion made, and Question proposed, "That the Bill be now read a second time."

*MR. STAVELEY HILL (Staffordshire, Kingswinford): I do not rise now for the purpose of opposing the Second Reading of the Bill; but after the Bill has been read a second time, I propose to move the Instruction which stood in the name of my hon. Friend the Member for Stafford (Mr. Salt).

Question put, and agreed to.

Bill read a second time, and committed.

*(3.15.) MR. S. HILL: I beg now to move that it be an Instruction to the Committee "to omit Clauses 5 and 6." In making this Motion I wish to say that I represent the interests of the Riparian Proprietors, the Conservators of the River Trent, and the Staffordshire County Council. The object of the Instruction is to restrain the Corporation of Wolverhampton from becoming independent of the public law, as to the discharge of the effluent of their sewage into the Pendeford Brook. The Corporation, in 1865, sought to acquire land at Dunstall, but this scheme having been opposed by the then owner, Mr. Hoodson, on public grounds, they obtained with his assistance their present sewage farm at the Barnhurst. Unfortunately, for 10 or 15 years, things went from bad to worse, no real attempt was made to remedy it, until the whole of the arrangements of the Corporation in re-

gard to their disposal of the sewage of Wolverhampton became an abominable nuisance, not only to the inhabitants of the immediate locality, but for a distance of from 80 to 100 miles down the streams into which the sewage is directed. Steps were then taken to put a stop to the nuisance, and after the lapse of many years, and every consideration had been shown to them. In November last, Lord Justice Fry, held that there had been negligence on the part of the Corporation, that their action was wilful and illegal, and ordered an injunction and a sequestration against the Corporation. They propose now to take further land. With that we have nothing to do, because we feel that if they want further land they must have it. But the Corporation are now endeavouring by Clause 5 of their Bill to repeal in their favour certain provisions of the Public Health Act and the Rivers Pollution Act. By Clause 6 they seek to set aside the decision of the Courts of Law. I am told that Clause 6 has been withdrawn. I am not astonished at it, as I should have been surprised if anyone could have been found to defend it; but Clause 5 still remains, and although it professes only to repeal certain provisions of the Rivers Pollution Bill in effect it says that they are to be allowed to do what is permitted to no one else, and that a certificate granted by the Local Government Board is to be an answer in all Courts and in all cases against any action which may be brought against the Corporation. It is utterly impossible to suppose a greater interference with the law in favour of a public Corporation. When an injunction was granted against the Corporation, and sequestration was threatened, they saw, as they ought to have seen 15 years before, that they must amend their ways, and they set to work to correct the evil. Accordingly, when Dr. Frankland was sent down to make an investigation he found that to a certain extent matters were going on satisfactorily, which shows that there could be no difficulty in observing the existing provisions of the law and preventing a nuisance. The question really turns upon this: Can the Corporation or can they not comply with the provisions of the existing law, or have they a right to claim exemption from them because they are unwilling to comply with them? But although Dr. Frankland declared that there was no absolute nuisance at the time of his visit, he stated in distinct terms that what was being done approached very closely upon that which would be called an unsanitary state of matters, and therefore ought not to be allowed. The Rivers Pollution Act was passed in 1876 for the purpose of dealing with this very state of things. The County Council of Staffordshire claim that the Act shall be enforced; but the Corporation of Wolverhampton say, "Repeal those clauses, and do not allow the County Council to interfere at all." Such a position is monstrous. It simply amounts to an assertion that what is good against the rest of the world is not good against those who are bent upon breaking the law. I hope the House will support the Staffordshire County Council, and will lay down that if the law is to be altered, it must not be done by a private, but by a public, measure. At a meeting in Wolverhampton convened for the purpose of considering this Bill, the Mayor of the borough said that unfortunately Wolverhampton is situated on the top of a water shed, and consequently, as there is no large stream into which to turn the sewage, it must be turned into two small streams. And the Town Clerk added that what the borough wanted was relief against all persons who were likely to be litigants—that is to say, all persons who are likely to be injured, and he added that the object of the Bill was to give them "a right to do that which was at present wrong." I sincerely trust that the House of Commons will refuse to enable the Corporation of Wolverhampton or anybody else to do that which is at present wrong, and which will inflict a serious injury on their neighbours.

(3.30.) Colonel KENYON-SLANEY (Shropshire, Newport): I beg to second the Motion. I have not the slightest personal feeling in this matter, and I am glad to think that I am on terms of personal friendship with many members of the Corporation of Wolverhampton. But I recollect on one occasion having to consult the right hon. Gentleman opposite (Mr. H. H. Fowler) in reference to the Corporation, and he asked me to remember the old saying that a Corporation had neither a soul to be saved nor a body to be kicked. Therefore, if I make allusions that are unpleasant, I hope it will be borne in mind that I am not making them individually, but only against the Corporation in its bodiless and soulless capacity. From my knowledge of the merits of the case I cordially support the Instruction moved by my hon. Friend, and in opposing the 5th clause of the Bill, the 6th clause having been withdrawn, I wish to say that I am only actuated by the earnest belief that if that clause is not amended, a very grievous injustice will be done. I had originally put down an Amendment for the total rejection of the Bill, but I have not moved it on account of the withdrawal of Clause 6, which practically set aside the injunction of the High Court. I considered that that was a piece of audacity on the part of the promoters of the Bill, and that it fully justified me in moving the rejection of the measure. As Clause 6 has been withdrawn, in lieu of bringing forward my own Motion, I beg to support that of my hon. Friend, who proposes that it shall be an Instruction to the Committee to leave out Clause 5. I know that it is unusual to stand between the promoters of a Private Bill, and the Committee to which it is proposed to be referred in its entirety, and that, as a rule, it is considered better to send a measure of this kind to a Committee, and trust to them to exercise their common sense in dealing with it. But this is a peculiar case; and I feel that if the Corporation of Wolverhampton are to have their way, this stream will not only be polluted, but become absolutely poisonous, that out-lying lands may be flooded in all directions, and the stream, instead of fulfilling its proper functions, will be the means of rendering every residence on its banks uninhabitable. In 1885 action was taken against the pollution of this stream; in 1886 an injunction was granted against the Corporation, and three years after the granting of the injunction an application for sequestration was made. An order was made that it should issue, and Lord Justice Fry, in delivering judgment, bore testimony to the unwillingness of the Corporation to incur the necessary expenditure for carrying out the necessary works. His Lordship came, further, to the conclusion that the disobedience to the injunction had been wilful, and that it was necessary to proceed to sequestration. There has been no disposition since manifested on the part of the Corporation to meet willingly those who had a right to consider themselves injured, but there has been a desire to continue to turn this stream into a sewer. I do not deny that in some cases it may be desirable, bearing in view the necessities of a large town, to come to a compromise, but this Bill rejects all compromise. Any land they may require the Corporation of Wolverhampton can get without this clause, and there are means by filtration and otherwise by which the purity of the water can be secured. All that we who oppose the Bill seek is to prevent the granting of unusual and unreasonable powers that may be dangerous to the principles of justice and equity. The immediate effect of the Bill as it stands will be to suspend the operation of the Common Statute Law of the land in favour of the Corporation of Wolverhampton. I think the House ought to hesitate before it sanctions a suspension of the general law which bears upon the health of any portion of the community. Perhaps I may be allowed to point out that this very Corporation is seeking in another district to enforce the very law which in this case it is anxious to evade. I refer to a case in which, having a personal interest in preserving the purity of the water, the Corporation of Wolverhampton is now endeavouring to put in force the provisions of the Pollution of Rivers Act, whereas in this instance it is seeking to evade them. The word "reasonable" is used in the Bill more than once, and I suppose it implies a certain amount of equity and moderation, but I cannot forget that we have had the experience of other Corporations who have succeeded in depriving the whole of a rural district of every single drop of drinkable water, and have refused to make any compensation whatever. Therefore, I decline to accept the term "reasonable." My only object is to secure that another and smaller community shall have the same justice and fair play which the Corporation of

Wolverhampton are seeking to obtain for themselves.

Motion made, and Question proposed,

"That it be an Instruction to the Committee on the Wolverhampton Corporation Bill, to omit Clauses 5 and 6."—(*Mr. Staveley Hill.*)

*(3.45.) MR. H. H. FOWLER (Wolverhampton, E.): I am sorry that I am compelled to trouble the House with a few remarks, because I quite appreciate the feeling which is in the minds of the hon. Gentlemen who have brought forward this Motion. But I feel it is due to the Corporation of Wolverhampton, who have been subjected to much terrific censure, that I should state what really are the circumstances under which they come to the House to-day to ask that this Bill shall be read a second time, not with a view of securing a definite opinion upon the measure or of legislating upon it, but simply with a view of securing that it shall be investigated by an independent Committee who will hear evidence, thresh the whole subject out, and come, I have no doubt, to a right conclusion in regard to it. The Corporation of Wolverhampton have no private interests to serve in the matter, but, like this House, they are a body of public men appointed to discharge a public duty. As they have been subjected to such severe censure, I must ask the indulgence of the House while I tell the simple story of the reasons which have induced them to come here and ask the House to relieve them from a costly and harassing course of litigation which I venture to say no Public Body whatever has been subjected to. The Member for West Staffordshire told the House that this question had been before the locality since 1865. I was going to say that prior to that, from 1854 to 1865 the Corporation of Wolverhampton had devoted a great portion of its time and attention to dealing with this very complicated and very difficult question of the sewage of a large town. If Wolverhampton had been fortunately situated on the banks of the Thames, or of some other great river, this difficulty would not have arisen; but it stands at the head of a water-shed, and some portion of the drainage finds its way into the Severn, and the rest into the Trent. Not having the outfall of a great river it is necessarily exposed to difficulties from which a great many other towns are exempt. In 1867 the Corporation came to the conclusion that it was desirable to establish a great sewage farm for the purpose of enabling the sewage of the town to be satisfactorily dealt with. They purchased an estate which has by subsequent additions cost them £36,200. In 1870 they commenced their sewage works, and in 1873 they were able to bring those works into operation. In that year 10 different actions were commenced against them for the injury they were said to have done to this particular stream, and those actions were referred to arbitration. The arbitration took place in 1875, when the arbitrator awarded to the whole of the 10 litigants the enormous sum of £1,880 as representing in full the damage which had been done to their estates during that number of years. In addition, the arbitrator called on the Corporation to construct works which cost £10,000, and thus recognised the moral right of the Corporation to the use of this stream for its effluent water. No sooner were they completed than litigation again commenced. The litigant who is the litigant carrying his controversy to a successful issue in the Courts is the son of the tenant for life who was proceeding against the Corporation in 1876. The son found out that he was not bound by his father's agreement, and that is one of the grounds upon which I ask the House to deal with the case, because in this case it is impossible to get a binding agreement between the Corporation and the tenant for life which will prevent the Corporation being sued again by the succeeding tenant for life. This litigation lasted from 1878 to 1886, and the amount of damages claimed was £3,049, and the amount awarded was £1,050; but in addition to that the Corporation had to pay £850 for the claimant's costs, and about £1,000 for their own. After this award an application was made for an injunction, damages to the extent of £3,757 being claimed. The action was tried at Birmingham, and, after Mr. Justice Wills had visited the *locus in quo*, inspected the stream, and seen all the alleged abominations, the damages were fixed at £400. A large sum had again to be paid in costs, the plaintiff's costs as delivered

being £2,688, and as allowed £1,084, and the Corporation costs £1,000. Complaint has been made that the Corporation works were not completed until 1890. The answer to that is that it was simply impossible to complete them sooner, and nearly £50,000 have been spent upon them since 1886. Last year the High Court of Justice appointed an officer to report as to what the Corporation had done. That independent expert, in his Report, says—

> "In reply I have to say that no excrementitious or filthy matter or sewage, or any water contaminated or mixed therewith, was passing into the Pendeford Brook on the 1st of November last, neither do I think it probable or even possible for such matters to gain access to the brook in future, so long as the defendants' works are maintained in their present efficient condition. With regard to noxious matter, the defendants were discharging nothing into the brook which was noxious, unless the water was used for dietetic purposes. There was nothing noxious to the senses in the effluents or any of them, but the water was not, in my opinion, fit for human consumption as a beverage."

This is the whole gist and point in this case. The Corporation have at present no right to put any water in the stream unless such water is perfectly pure, and this Bill seeks to empower the Corporation to put water in the stream which, though not absolutely pure, will in no way detract from the beauty of the stream or its amenities. He had recently travelled down it and found it quite clear.

*MR. STAVELEY HILL: I did not say that the river has been in an improper state since the Corporation completed their works. I am quite prepared to admit that since last summer the stream has been in a proper condition.

*MR. H. H. FOWLER: I am glad to have obtained that admission. And that is the case that I present, that having spent this money and having done this work, having accomplished this improvement, I say that the Corporation are not to be exposed to litigation day by day and week by week, and spend thousands and thousands in costly and useless litigation because it has undertaken to carry out the law of the land. What the town of Wolverhampton has done has been that the Corporation have, at an enormous cost, separated the rain water from the sewage. Now, what do we ask? We ask you to stop this litigation, and if we do any damage—we do not interfere with private rights, we do not deprive any man of his property—we are willing to pay the last farthing, and we ask the House to let us have a cheap and effective tribunal on the spot, and not let us be subject to these injunctions, and trials, and arbitrations to which we have been subjected for years. And we ask that this Bill be sent in to a Committee upstairs in order that they may investigate it there and decide it on its merits. My hon. Friend says that "this is unprecedented, that nothing of this sort has been done before, that this is a new application brought before the House." Well, Sir, it has been done before. The House of Commons has passed a similar clause to this, and passed it in the River Lea Conservancy Act, and in this Act it may be almost said they have taken the very words used in the River Lea Act. These are the words of the River Lea Conservancy Act—

> "Nothing in this Act shall operate and extend to prevent the Local Board of Health for the district of Luton and the inhabitants of Luton for the time being, maintaining and continuing their present sewerage and drainage works, or discharging into the River Lea the sewage water or matter formed from such sewers or drains, after such sewage matter has been subject to the process of purification known as Higgs' process,"

and then it describes the mode in which that is to be carried out. The Corporation has spent nearly £200,000 in endeavouring to carry out the sewerage. The rating of Wolverhampton this year, I think, is 3s. 9d. in the £1, and the sewerage rate that we have to pay is 1s. 2¾d. in the £1, and I ask gentlemen who are now on County Councils what a rate of 1s. 2¾d. in the £1 means? At present they are crippled and forced to incur enormous costs of litigation because of committing what is, after all, a mere technical wrong. There is no desire to avoid paying compensation to all those entitled to it, but it is desired to have a cheap and effective tribunal on the spot to deal with the matter. The House is not now being asked to pass the Bill, but only to allow it to be referred to the Police and Sanitary Committee, after which it will again come before the House for Third Reading. This is an attempt, without any precedent, to arrest the action of the Corporation, at a critical moment in its history, in its endeavour to discharge a public duty, and I ask the House to do justice, irrespective of Party or any other consideration, to allow the Bill to go before one of its own Committees, where the opponents can make out their case, for we cannot well dispose of this clause in the House; and I hope we will hear no more of it. If the Committee misconceives its duty or trenches upon principles of the general law, the House will have the Bill in its own hands on a Third Reading. You may rest assured that there is nothing in this Bill which in any way trenches upon the rights of property.

*(4.10.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I do not think there can be any opposition to that part of the Bill which gives power to the Wolverhampton Corporation to acquire additional land for the purpose of their sewage scheme. But the Bill contains some clauses which are of an objectionable character. The 5th clause proposes something quite new and exceptional. It proposes that the Corporation should not be compelled to comply with Section 17 of the Public Health Act, 1875; and that if they obtain a certificate from an Inspector of the Local Government Board that they are employing the best practical means for carrying off the sewage, such certificate, which shall last for two years, shall be a bar against any person who may consider himself injured. That is an entirely novel power to confer on the Local Government Board, and, even if desirable, it would be extremely difficult to exercise. To confer upon the Local Government Board power to issue certificates which should be an absolute bar to all actions that may be brought in the High Court by persons who may feel aggrieved or injured would be going very far indeed. If, however, the Corporation of Wolverhampton should be able to show to the Committee that exceptional provisions are desirable in their case, the Committee, I think, ought to have power to consider the matter. Therefore, I should propose to move an instruction in lieu of that which has been moved, empowering the Committee to consider whether, under the special circumstances of the case, any special provisions are necessary for the protection of the Corporation of Wolverhampton until additional sewage works can be completed. If the Committee should decide that such provisions are necessary, the Local Government Board could be empowered to give a certificate which could be produced in any action before the High Court, and which would be taken into consideration, although it might not be an absolute bar to the proceedings. The Instruction which I am prepared to move will enable the Committee to make such provisions as would protect the Corporation from any arbitrary proceedings.

Amendment proposed,

To leave out the words "Clauses 5 and 6," in order to insert the words "Clause 6; and with regard to Clause 5, to consider whether, under the special circumstances of the case, any, and, if any, what, provisions are necessary for the protection of the Corporation, until additional sewage disposal works can be completed. That any provision for this purpose should be such as will not affect the present proceedings against the Corporation, and as will be in conformity with the provisions of the Rivers Pollution Prevention Act, with regard to the conditions on which certificates are to be granted,"—(*Mr. Ritchie,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(4.20.) MR. H. H. FOWLER: The Corporation have no desire in any way to prejudice existing litigation. I would therefore propose that we should rest content to-day with providing for the omission of Clause 6. The Instruction to be moved by the President of the Local Government Board could be considered on a future occasion.

*(4.22.) MR. RITCHIE: I think the proposal of the right hon. Gentleman is perfectly fair.

*MR. S. HILL: Would it not be the better plan to postpone the whole matter?

*MR. RITCHIE: An Instruction similar in terms to the one which I have handed in can be placed on the Paper to-morrow.

*MR. SPEAKER: The proper course will be to withdraw the Instruction now and bring it up again.

Amendment and Motion, by leave, withdrawn.

Ordered, That it be an Instruction to the Committee on the Wolverhampton Corporation Bill to omit Clause 6.

QUESTIONS.

THE *ARBIB BROTHERS.*

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the case of the British steamer, *Arbib Brothers*, recently arrested in Algiers on a claim for salvage; whether it is true, as stated in the *Moniteur de l'Algerie*, of the 27th ultimo, that the Compagnie Transatlantique, the plaintiff in the salvage suit, anchored one of their vessels with an armed crew alongside the *Arbib Brothers*, with the avowed intention of forcibly preventing her from escaping, in case of her attempting to do so; and, if so, whether this step was taken under the authority of any French Law Court or Government Department; and, if not, whether any remonstrances have been addressed to the French Government against a proceeding calculated to provoke violence, and lead to International difficulties?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The circumstances as stated in the question are substantially correct. The British vessel was disabled not far from Algiers, and was brought into that port by a steamer belonging to the "Compagnie Transatlantique," the agent of which company then made a claim for salvage. The agent alleged that the *Arbib Brothers* was about to proceed to sea and to escape payment; a seizure was laid upon the vessel, and on a tug steamer arriving from London the other steps mentioned were taken. The owners would have their remedy at law for any illegal procedure. The only apparent ground of complaint on the part of Her Majesty's Government was in the omission to inform the British Consul General of the procedure against the ship; but, as we have no Consular Convention, this involved no more than a breach of courtesy, and we have no ground for formal representation.

DR. CAMERON: In Committee of Supply I shall call attention to this case.

THE CASE OF ANDREW REID.

DR. CAMERON: I beg to ask the Lord Advocate whether, since August last, any further inquiry has been made by the Secretary for Scotland into the mental condition of Andrew Reid, of Glasgow, sentenced in February, 1887, to be confined during Her Majesty's pleasure for firing at a policeman, whilst labouring under a fit of insanity, and at present confined in Perth Criminal Lunatic Asylum; and whether, considering that Reid has now been three years in confinement, if it be ascertained that for a long time past he has shown no sign of insanity, he will take steps to procure his release?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The man referred to in this question was sentenced in February, 1889, and not in 1887 as erroneously stated. He will complete two years' confinement on the 26th of this month; and, following on the satisfactory Report of a recent inquiry as to his mental condition, he will be liberated on that day, subject to the requisite guarantees being given by guardians, who, I understand, are prepared to grant them.

BANGOR TRAINING COLLEGE.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that, in consequence of the Report of the Inspector sent down by the Education Department to inquire into the causes of the recent outbreak of students at Bangor Training College, that the discipline of the Institution is unsatisfactory, the College Committee is now engaged in re-constituting the staff of the College; can he explain why the Education Department has refused to sanction the re-admission of one of the students for his second year's course of training, notwithstanding the fact that the College General Committee and the special Sub-Committee unanimously recommended his re-admission; whether the student was given any opportunity of defending himself before the Inspector; and whether, having regard to all the circumstances of the case, he will recommend the Department to reconsider the matter?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Education Department has refused to sanction the re-admission of the student at the Bangor Training College whose impertinence is stated by the Inspector to have been the immediate cause of the outbreak to which the hon. Member refers. The facts were, unfortunately, too well attested to permit of explanation so far as that student was concerned, and it is as well to bear in mind that the Inspector's recommendation in regard to him sought nothing more than to give effect to what had been the first resolution of the authorities of the College. The student has already been treated with indulgence, to the extent of being allowed to qualify himself for a certificate by concluding his first year's course; and, looking to the paramount importance of maintaining the discipline of the College, I am not prepared on the part of the Department to re-consider a decision which has been arrived at with the aid of the fullest information and after the most careful and deliberate inquiry. The statement that the College General Committee recommended the re-admission of the student is quite incorrect.

THE DISTRICT OF GURGAON.

MR. BURT (Morpeth): I beg to ask the Under Secretary of State for India whether he will lay upon the Table of the House the Report of the revised settlement of the district of Gurgaon, Panjab, and all other Papers connected therewith until Orders were passed, and including the Orders passed, by the Panjab Government; whether he is aware that remissions of rent were refused by the Government of India to the people in a time of crop loss through drought, and that between 1877 and 1882, 150,000 head of cattle were found to have died, 80,000 of the agricultural population had disappeared, and a debt of Rx.200,000 incurred; and whether the Secretary of State will inquire into these facts, and take such steps as will put a stop to their recurrence?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Report and Papers asked for make a volume of 500 pages. I shall be glad to lend the hon. Member a copy; but the Secretary of State does not think it necessary to lay it on the Table. The Secretary of State is aware that a mistake was made by the officer, since dead, who refused to suspend a part of the land revenue in Gurgaon in 1877. But since then substantial benefit has been conferred on the district by remissions of arrears, by reductions of the demand, and by loans for the purchase of cattle. The cultivated area of the district is returning to the old level, and the number of cattle has been fully recovered. The Secretary of State is satisfied that the suggestions of the Famine Commission of 1880, the Orders of the Government of India issued in 1885, and the provisions of the Punjab Famine Code issued in 1888, will, if carefully observed, prevent the commission of similar mistakes in the future.

OOLOGICAL EXPEDITION TO THE SHETLAND ISLES.

MR. WALTER JAMES (Gateshead): I beg to ask the Lord Advocate whether his attention has been called to a Circular issued from Birmingham and published in Monday's *Times*, by a company entitled "The Naturalists' Publishing Company," and projecting "an oological expedition to the land of the Great Auk," meaning the district of the Shetland Isles, set forth in the Circular as one of the best collecting grounds for the marine birds of the United Kingdom; and whether he will introduce some amendment of the Wild Birds Protection Act to avert the destruction of the eggs of rare birds?

*MR. J. P. B. ROBERTSON: My attention has been called to the letters in the *Times* of Lord Lilford and my hon. Friend the Member for Hastings. I observe that a Bill to amend the Wild Birds Protection Act was read a first time last night on the Motion of the hon. Member for York; it has not yet been circulated, but it may afford an opportunity for extending to the eggs of wild birds the protection at present given to wild birds themselves. In the meantime, it is well that it should be known that, under the law as it stands, the Shetland Islands are not completely at the mercy of the Naturalists' Publishing Company of Birmingham, for oologists are not yet exempt from the general law of trespass; and the proprietors of the threatened islands will probably consider whether they should not apply for Interdict against acts of illegal trespass, the intention to commit which has been publicly announced.

COLONEL DAWNAY (York, N.R., Thirsk): May I ask the First Lord of the Treasury whether he will give facilities to the hon. Member for York to proceed with his Bill to amend the Act for the protection of wild birds?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Government can hardly give facilities for such a measure, much as I desire that such a measure should pass. The general feeling of the House, however, will no doubt be in favour of passing such a Bill, and in that case the hon. Gentleman will not be under the necessity of asking for special facilities to push it forward.

ALLOTMENTS IN SUFFOLK.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the President of the Local Government Board whether his attention has been called to the high assessment of allotments in Suffolk and other parts of the country; whether the statement is true that in South-West Suffolk the assessor's valuation for the purpose of rating allotments averages 40s. an acre, though farm land in the same locality is assessed at from 5s. to 10s. an acre; and whether he can take any steps to alter this disproportionate rating?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My attention was called some days ago by my hon. Friend the Member for the Sudbury Division (Mr. Quilter) to the high assessment of allotments in Suffolk and elsewhere, and he undertook to furnish me with particulars of the assessments. I have not yet received these particulars; but I may say that it is not in the power of the Local Government Board to interfere with the discretion of the Local Authorities in matters of rating. The rateable value of an allotment depends on the rent at which it may reasonably be expected to let from year to year; but I should regret to learn that allotments were unduly rated as compared with the ordinary basis of assessment in force in the union.

ABDUL RASOUL.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for India under what Article of the Indian Penal Code have the Government of India power to arrest any person on landing at an Indian port, to examine his wearing apparel, cutting open his boots and other articles of clothing, to imprison him in an inland gaol, and detain him there for nine months at a time without preferring against him any charge or bringing him before any tribunal; what ground of suspicion had the authorities in India against Sheikh Abdul Rasoul; whether he is aware that Sheikh Abdul Rasoul himself called at the India Office and asked to see Lord Cross, who, after keeping him waiting for three hours, refused to see him; whether a registered letter has been received at the India Office from Rasoul, why no acknowledgment of such letter has been returned to him, and whether he will undertake that some reply shall be sent to him; whether, as the Government have brought Rasoul back to this country, and landed him destitute without means of subsistence and without friends in London, they will take steps to provide some support for him pending the reply which he may receive from the Indian Government; and whether it is the intention of the Government to detain Rasoul in this country and to prohibit him from returning to his own country; and, if so, on what grounds and under what statutory or other powers they are in such case acting?

*SIR J. GORST: I informed the hon. Gentleman yesterday that the Secretary of State was awaiting information on this subject from India, and pending the receipt of that information I am afraid that I cannot answer many of the questions which he has put. But in answer to paragraph 3 I am aware that Abdul Rasoul did call at the India Office on one of the days when my noble Friend was out of London, and therefore he was not able to see him. In answer to the fourth paragraph, I stated yesterday that a letter had been received at the India Office, and I regret that no acknowledgment had been sent. In answer to the last question, the Secretary of State has neither the power nor the intention of detaining Rasoul in this country.

MR. CONYBEARE: There are two points on which the right hon. Gentleman has given no answer, and which I think he could reply to without awaiting letters from India. I want to know whether he will see that an answer is sent to this unfortunate man as to what decision the authorities have come to; and I also wish to ask the right hon. Gentleman whether, as the unfortunate man has been brought to this country against his will, and has been landed in this Metropolis destitute and without friends or means of support, he will consider the propriety of making some provision for him?

*SIR J. GORST: The hon. Gentleman begs the whole question. We are awaiting information from India as to whether this man was sent here; and until the Secretary of State receives that information it is impossible for me to reply to the question.

MR. CONYBEARE: Will the right hon. Gentleman make any provision for this man's subsistence? I understand that he does not contradict that he was arrested in India and sent to gaol and kept there for nine months without trial; and I wish to know whether he will recommend that some allowance shall be made to him to enable him to subsist in England?

*SIR J. GORST: I have never heard that the man was in a state of destitution. He certainly has made no such statement to me.

THE CASE OF HARRY WYNDHAM CARTER.

MR. CONYBEARE: I beg to ask the Secretary of State for the Home Department whether he is aware that, in the trial of Harry Wyndham Carter, at Maidstone Assizes, in January, 1887, the indictment laid before the common jury was for the shooting at and wounding with the felonious intents to maim, disfigure, disable, or do some other grievous bodily harm; has his attention been drawn to a statement published in the *Kentish Gazette*, under date 23rd February, 1887, by Mr. Samuel J. West, one of the jury, stating that

> "The unanimous verdict we presented through our foreman was 'that we found the prisoner guilty of unlawful shooting,' and expressing surprise at the sentence which was inflicted;"

was the verdict, as entered in the Record, the same as that found by the jury; and, if not, can he explain why it differs therefrom; is he aware that, at the trial, Carter repeatedly begged that counsel would call his witnesses, who were in Court, but that for some unexplained reason they were not allowed to give evidence; is it the fact that while in prison, in 1889, H. W. Carter was offered his release on condition of his executing a disentailing deed; through what medium, by whom, and by whose authority was this offer held out to the prisoner; and whether he will inquire into the legality of Carter's imprisonment?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I understand that the indictment was for wounding with the felonious intents mentioned. I have not seen the statement in the *Kentish Gazette*, but an affidavit to a similar effect was sent to me, which I forwarded to the learned Judge. He reported to me that it was founded on a complete mistake as to the effect of the indictment. The question for the jury was whether the wounds, which had been inflicted by shooting, were inflicted with any of the felonious intents charged in the indictment, or were merely unlawful wounds, *i.e.*, wounds inflicted by an unlawful purposed act; and he states that the jury found the prisoner guilty of unlawful wounding. After reading the Judge's Report, I have no reason to suppose that the verdict entered on the Record was not the verdict found by the jury. The prisoners were defended by most able counsel, who, in the exercise of his discretion, declined to call witnesses. It is not the fact that any offer of conditional release has been made to the convict on the authority of the Home Office. I am satisfied, after full inquiry, that the convict's sentence was legal.

THE LLANERCH COLLIERY EXPLOSION.

MR. PICKARD (York, W.R., Normanton): I beg to ask the Secretary of State for the Home Department whether he will, according to promise last Session, place upon the Table of the

House verbatim copies of the notes taken at the inquiry into the causes of the deaths of large numbers of miners at the Llanerch Colliery explosion?

Mr. MATTHEWS: What I said last Session was that I would place these notes upon the Table if there was any general desire on the part of hon. Members to see them. I have not found that any such general desire exists, and have therefore given no instructions. The transcript is quite at the service of the hon. Member, or of any hon. Member who desires to see it.

LAND PURCHASE IN CORK.

Mr. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that, under the provisions of the Land Purchase Bill as it now stands, the barony of Cork, being the portion of the county of the City of Cork outside the borough boundary, is excluded from the scope of all land purchase transactions; whether he is aware that this extensive area, consisting of the old liberties of Cork, and extending in some directions over seven miles from the city, is a purely agricultural one, and, though within the county of the city, is, for all fiscal purposes, cut off by statute from the borough and united with the County of Cork; and whether the Bill is drawn in this manner through inadvertence or by design?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): I am obliged to the hon. Member for calling attention to the position of the old liberties of Cork. It is the desire of the Government to extend the benefits of the Land Purchase Bill to all districts in Ireland which are of an agricultural character. Inquiries will be made before the Committee stage of the Bill as to the possibility, consistently with fiscal arrangements, of including the district in question within the County of Cork.

TELEGRAPH DELIVERY.

Mr. M. HEALY: I beg to ask the Postmaster General whether he is aware that the statement on the back of telegraph forms, that the charge for transmission will cover the cost of delivery if the address is within the limits of the town postal delivery of any Head Post Office, is in many cases not correct under the existing Postal Regulations; whether persons living within the limits mentioned, but within the delivery of a local telegraphic sub-office, are compelled to pay porterage on telegrams delivered during the hours when the sub-office is closed, though porterage would not be payable if such sub-office did not exist; and whether he will put an end to this anomaly?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): The hon. Member has not quite accurately stated the terms of the notice on the back of telegraph forms. It is as follows:—

> "The charge for transmission will cover the cost of delivery.
>
> "(*a*) If the address is within one mile from the *Terminal* Telegraph Office, or within the limits of the Town Postal delivery of *that* office *when it is a Head Post Office*."

The terminal offices in the cases to which he refers are probably not Head Post Offices. But, if he will be good enough to send me particulars of the cases which he has in view, I shall be glad to have inquiry made and let him know the result.

THE IRISH BANKRUPTCY LAW.

Mr. M. HEALY: I beg to ask the Attorney General for Ireland whether his attention has been called to the recent Report of the Cork Chamber of Shipping and Commerce, in which complaint is made that insolvent traders are enabled by the present state of the Bankruptcy Laws to prevent any effectual investigation of their affairs by petitioning the Bankruptcy Court in Dublin, and thus preventing proceedings in the Local Court of Bankruptcy: and whether the Government will facilitate legislation, making it necessary in the case of all traders within the jurisdiction of Local Courts of Bankruptcy to initiate legislation within such Courts?

Mr. MADDEN: I have not yet seen the Report referred to, but the suggestion which it contains is receiving the close consideration of the Government. I cannot undertake to facilitate legislation of the character suggested in the question, and I do not think that such legislation could be undertaken without further experience of the working of the local Bankruptcy Court.

Mr. M. HEALY: Do I understand the Government intend to offer opposition to legislation on this point initiated by private Members?

Mr. MADDEN: Yes, Sir; as at present advised.

SEVERE SENTENCE.

Mr. CONYBEARE: I beg to ask the Secretary of State for the Home Department whether he has seen the report in the *Essex Weekly News* of the sentences passed by the Chelmsford Magistrates upon three prisoners, one of whom was a girl, who were all charged with robbing their employers, and were recommended to mercy, none of them having been previously convicted; upon what grounds was the girl sentenced without option of fine to two terms of one month's hard labour each for what was practically one offence, while the men were let off with a fine of 40s.; and whether he will inquire into the circumstances with a view to mitigating her sentence?

Mr. MATTHEWS: I have not seen the report, and I have no information as to the case, but am making inquiry, and will inform the hon. Member of the result in due course.

ENNISKILLEN BARRACKS.

Mr. JORDAN (Clare, W.): I beg to ask the Secretary of State for War if it has been determined by the authorities to erect new buildings for additional military accommodation at Enniskillen; if the ground plans have been prepared and approved by the Royal Engineer Department; if the probable estimate was roughly stated at £18,000; and if it be the intention of the Government to proceed with the erection of this projected additional barrack accommodation; and, if not, will he state on what ground the scheme has been abandoned, or at whose suggestion?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Brodrick, Surrey, Guildford): For military reasons it has been decided to locate more troops at Londonderry and less at Enniskillen. In these circumstances, it will not be necessary to increase the barrack accommodation at the latter town.

MEETING AT BANDON.

Mr. MORROGH (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received resolutions passed by a large and representative meeting held in Bandon on the 10th instant, which meeting was presided over by the Chairman of the Town Commissioners, and attended by the Dean of Cork and several clergymen of different denominations; and whether, in view of the present and further apprehended distress, as set forth in the resolutions, he will give immediate attention to the requests contained in the said resolutions?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The resolutions referred to in the question do not appear to have been received, but the state of the locality is having careful consideration at the hands of the Government.

LABOUR IN INDIAN FACTORIES.

Mr. J. MACLEAN (Oldham): I beg to ask the First Lord of the Treasury whether he can give the House assurances that the Government of India will pass into law a Bill to amend the Indian Factory Act before the Viceroy leaves Calcutta for Simla, and that the provisions of this Bill will include as a minimum the rules adopted at the International Labour Conference of Berlin regarding age, hours of labour, and hours of rest and refreshment?

*Mr. W. H. SMITH: I have to inform my hon. Friend that the Secretary of State in Council for India has been in communication with the Viceroy, and he is informed that legislation will be proceeded with immediately to amend the Indian Factory Act. The provisions of the Bill will follow, speaking generally, the recommendations of the International Labour Conference at Berlin, with this limitation—that it is proposed to raise the age for the employment of young children from seven (at which age they are now employed) to nine. The employment of women and children at night is to be prohibited, and the Secretary of State in Council has urged that the limits of work for children shall be in accordance with the provisions of the Berlin Conference.

*MR. MACLEAN: With reference to one point in the right hon. Gentleman's answer. May I ask him whether, as the minimum age of employment of children in some European countries was fixed at 10 years by the Conference at Berlin, and as Indian children are of a weaker and more delicate frame than children in European countries, the right hon. Gentleman will press upon the Indian Government the importance of fixing the minimum at 10 years instead of 9?

*MR. W. H. SMITH: I have no hesitation in saying that the Secretary of State is impressing that view upon the Government of India, and will continue to do so.

SIR GEORGE CAMPBELL: May I ask whether the recommendations of the Berlin Conference were stated by that Conference not to be applicable to the case of a tropical country, and whether they are consistent with the people of India, or whether they are only urged upon the Government by a few Lancashire Members?

*MR. W. H SMITH: I am not aware of the limitation to which the hon. Member refers; but I am under the impression that the sole object the Government of India and the Secretary of State have in view is that the regulations of labour in factories in India is consonant with humanity and in the interests of the Indian people themselves.

SMOKE ANNIHILATION.

LORD ERNEST HAMILTON (Tyrone, N.): I beg to ask the First Lord of the Treasury whether his attention has been drawn to Mr. Elliott's invention for the annihilation of smoke, now on view on the Thames Embankment; and whether it is the intention of the Government to give the invention a trial, with a view to the possibility of taking some steps to abate the smoke nuisance in the Metropolis?

MR. W. H. SMITH: I am not personally acquainted with the apparatus in question; but I am informed by the Metropolitan Police, whose duty it is to enforce the Acts relating to the smoke nuisance in the Metropolis, that smoke has been observed to issue from the chimney on the Thames Embankment, from which it may be inferred that the apparatus is not at all times successful.

ACCESS TO MOUNTAINS.

DR. FARQUHARSON (Aberdeen, W.): I beg to ask the First Lord of the Treasury whether he can now name a day to be given for the purpose of debating the Resolution regarding the right of the public to access to uncultivated mountains and moorlands, which stood on the Paper last Tuesday, in the place of that day which the Government took for the purpose of Government business, having regard to the widespread interest felt in that Resolution in Scotland?

*MR. W. H. SMITH: I am not able to fix a day for the Debate on the Resolution as to access to mountains.

THE ALABAMA INDEMNITY.

MR. ATKINSON (Boston): I beg to ask the First Lord of the Treasury if he is aware that there is remaining in the hands of the Government of the United States of America a large sum out of the so-called Alabama indemnity, paid by this country to meet claims then to be made upon the Treasury of the United States; and if any request has been made on behalf of this country for the return of the sum thus admittedly ascertained to have been overpaid; if not, whether Her Majesty's Government will communicate with the Government of the United States on the subject?

*MR. W. H. SMITH: It is believed, from accounts which have been published in the United States, that a certain portion of the sum paid by Great Britain to the United States under the award of the Tribunal of Arbitration at Geneva still remains in the hands of the United States Government. It would be contrary to the engagements taken by this country in the Treaty of Washington of 1871 that Her Majesty's Government should request the return of this sum.

ANSWERS TO QUESTIONS.

MR. ATKINSON: I beg to ask the First Lord of the Treasury if he can arrange for Questions to be printed with the replies to them, and awaiting the arrival of Members at the House each day, so saving the time of the Members for other business?

*MR. W. H. SMITH: However desirable it may be that the time occupied by Questions and Answers in the

House should be economised I am not prepared to propose to the House that the Standing Orders should be altered, as any proposal of the kind suggested would involve a discussion leading to a considerable expenditure of time.

DISTRICT COUNCILS.

MR. DAVID THOMAS: I beg to ask the First Lord of the Treasury if it is now the intention of the Government to introduce this Session Bills for the establishment of District Councils, and for amending and consolidating the laws relating to the public health; and, if so, can he say when?

*MR. W. H. SMITH: The Government hope to introduce within the next few days Bills to amend and consolidate the laws relating to the public health in the Metropolis, and they do not anticipate that the time at their disposal will enable them to deal this Session with these laws outside the Metropolis. The Government will be glad if they are able, by the progress of other business, to propose legislation this Session in connection with District Councils, but it entirely depends on the progress of Public Business.

A QUEENSTOWN MEMORIAL. TO THE ADMIRALTY.

MR. MORROGH: I beg to ask the First Lord of the Admiralty if his attention has been called to a report of a meeting of the Town Commissioners of Queenstown, which appeared in the *Cork Examiner* of the 12th instant, in which it is stated by the Town Clerk

> "That a Memorial had been prepared by a Joint Committee of the Commissioners, clergymen, magistrates, local gentlemen, and traders of the town and district, and duly signed by them, and submitted by a deputation to Admiral Erskine to be forwarded to the Admiralty. He (the Town Clerk) could not account for the non-receipt of the document at the Admiralty;"

and has he, as yet, received the Memorial; and, if not, can he state why Admiral Erskine has not presented the document?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): My attention has been called to the report alluded to by the hon. Member. A Memorial was presented by a deputation to Admiral Erskine, and after some discussion the Deputation announced their intention to amend the terms of their Memorial. Admiral Erskine understood that the Memorial would be amended by its authors, but they understood that the Admiral would make the amendments. It was owing to this misunderstanding that the Memorial was not forwarded at once. It has now been received at the Admiralty, and will be carefully considered.

THE ORDER OF BUSINESS.

MR. SEXTON (Belfast, W.): I beg to ask the First Lord of the Treasury whether he is aware that the fragmentary portion of the Motion of the right hon. Member for Newcastle dealing with the administration of the law in Ireland affirms nothing, and that no part of the Amendment has yet found its way on the Records of the House; whether the right hon. Gentleman will fix a day for the discussion of the subject; or whether the Government wish to allow the question to remain in the condition in which it stands?

*MR. W. H. SMITH: The Government are perfectly satisfied with the Debate. If the hon. Member and his friends desire another Debate in which they can exercise their right of speaking, considering that they were shut out of it last night, it will be a subject for the consideration of the Government whether they shall proceed further in the matter.

MR. SEXTON: Will the right hon. Gentleman say what business will be taken on Thursday?

*MR. W. H. SMITH: We shall ask the House to consider the Army Estimates.

MR. J. MORLEY (Newcastle-upon-Tyne): When does the right hon. Gentleman propose to begin the Committee stage of the Land Bill?

*MR. W. H. SMITH: The right hon. Gentleman is aware that the first necessity of the House at present is Supply. A certain amount of Supply has to be obtained before Easter, and until we obtain this Supply we cannot proceed with business of importance. There will be small matters introduced between Supply; but the progress of Supply will be the main business next week.

THE WHITECHAPEL MURDER.

MR. H. J. WILSON (York, W.R., Holmfirth): I beg to ask the Home Secretary whether it is true, as stated by the man Sadler, who is charged in connection with the Whitechapel murder, in the course of his cross-examination, that he was not in good trim to cross-examine as he was cold and hungry, that he repeated the statement over and over again; and whether it is the custom to bring prisoners to the police-courts who have had nothing to eat?

MR. MATTHEWS: No, Sir. It is not true. The Commissioner of Police informs me that Sadler had his regular meals on Sunday, and his breakfast on Monday. His dinner on Monday was being prepared for him when he was summoned to the Court. He had it afterwards.

MR. H. J. WILSON: Then how is it that Superintendent Arnold, when the man complained, said to him, "You shall have something."

MR. MATTHEWS: I really cannot answer as to Superintendent Arnold's motives.

BREWERS' LICENCES.

Copy ordered—

"Of Return relating to Brewers' Licences (in continuation of Parliamentary Paper, No. 345, of Session 1889)."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 104.]

SAVINGS BANKS.

Return ordered—

"From each Savings Bank in England and Wales, Scotland, and Ireland, containing, in columns, the names of the Officers, their respective salaries, and other allowances, if any; the amount of security each gives; the number of accounts remaining open; the total amount owing to Depositors; the total amount invested with the Commissioners for the Reduction of the National Debt; the rate of interest paid to Depositors on the various amounts of deposit, and the average rate of interest on all accounts; the total amount of Government Stock standing to the credit of Depositors; and the total amount of the separate Surplus Fund, on the 20th day of November, 1890; the rate per centum per annum on the capital of the Bank for the expenses of management; the annual number of receipts from Depositors; the annual number of payments; the average amount of receipts; the average amount of payments; the number and amount of annuities granted; the annual expenses of management, inclusive of all payments and salaries, for the year ended the 20th day of November, 1890; also the year in which business commenced in each Bank, and the name of the day or days, and the number of hours in the week, on which the Banks are open for the deposit and withdrawal of moneys; including in such Return a list of all such Savings Banks as, under the provisions of the Act 26 Vic. c. 14, or otherwise, have been closed and have transferred their funds, or any part thereof, to the Post Office Savings Banks; showing, in each case, the number of such Banks, as well as the number and amount of Depositors' accounts so transferred, and the amount of compensation, if any, made to all or any of the Officers of such Banks respectively; and showing also the years in which such Banks were respectively opened and closed, and the number and amount of their Depositors' balances, and the number of days and hours in each week on which the same Banks were open for public business at the close of the year next preceding the date of such closing; distinguishing the same, as in the form of the Return, for each separate county, as well as collectively, for England and Wales, Scotland, and Ireland, and for the United Kingdom (in continuation of Parliamentary Paper, No. 219, of Session 1890).—(*Mr. Maclure.*)

EAST INDIA COUNCIL.

Address for—

"Returns of the names of the Members of the Council of India, with dates of appointment according to seniority, stating in succession to whom appointed, and ages last birthday; whether having served or resided any time in India, and, if in the service, in what branch, and from and to what rates; the annual amount of any pay, pension, civil fund, or other allowance now received for such Indian Service; the salary and allowance received as Member of the Council; the total annual receipt of each from the Indian Treasury."

"Of the Secretaries of the several Correspondence Departments, and of the Accountant General, Director General of Stores, Government Directors of Indian Railways, Director of Funds and Agent to the Administrators General of India, Registrar and Superintendent of Records, Librarian, and Auditor of the Accounts of the Secretary of State in Council."

"And, of the different Committees the Council is divided into, and of the Names of the Members of each Committee, with the dates of their appointment thereto (in continuation of Parliamentary Paper (East India Council) No. 224, of Session 1877)."—(*Mr. Burt.*)

STANDING COMMITTEES (CHAIRMEN'S PANEL).

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had selected the following six Members to be the Chairmen's Panel and to serve as Chairmen of the two Standing Committees to be appointed under Standing

Order XLIX.:—Mr. Campbell-Bannerman, Sir Walter Barttelot, Sir Henry James, Mr. Osborne Morgan, Mr. Arthur O'Connor, and Mr. Salt.

Report to lie upon the Table.

MOTIONS.

QUALIFICATION OF VOTERS (GUARDIANS) BILL.

On Motion of Mr. Morton, Bill to amend the Law relating to the qualifications of Voters for Guardians of the Poor in England and Wales, and to provide for the election of such Guardians by ballot, ordered to be brought in by Mr. Morton, Mr. Burt, Mr. Cobb, Mr. Fenwick, Mr. Priestly, and Mr. Bowen Rowlands.

Bill presented, and read first time. [Bill 217.]

TRUST INVESTMENT ACT (1889) AMENDMENT BILL.

On Motion of Mr. Oldroyd, Bill to amend "The Trust Investment Act, 1889," ordered to be brought in by Mr. Oldroyd, Lord Brooke, Mr. Curzon, Mr. Gully, Sir Matthew White Ridley, and Mr. Rowntree.

Bill presented, and read first time. [Bill 218.]

CHILD LIFE INSURANCE REGISTRATION (SCOTLAND) BILL.

On Motion of Mr. Parker Smith, Bill for the Registration of Insurances on the lives of Children in Scotland, ordered to be brought in by Mr. Parker Smith, Mr. James Campbell, Mr. Walter M'Laren, Colonel Malcolm, Mr. Charles Parker, Mr. Thorburn, and Mr. John Wilson (Lanark).

Bill presented, and read first time. [Bill 219.]

EAST INDIA (FINANCIAL STATEMENT).

RESOLUTION.

*(5.2.) **SIR W. PLOWDEN** (Wolverhampton): Mr. Speaker, in moving

> "That Standing Order No. LI., be amended by inserting after the words 'Ways and Means,' the words 'or the Committee on the Indian Financial Statement,'"

I do not think it will be necessary for me to trespass very long upon the attention of the House. The object of the Motion is very simple: it is to replace the House in the position in regard to debate on matters of general interest, in connection with India, it was in previous to the passing of the Standing Order No. 51 on the 28th of February, 1888. Standing Order No. LI., which was passed with very little debate and without any opposition, runs thus:—

> "That whenever an Order of the Day is read for the House to resolve itself into Committee (not being a Committee to consider a message from the Crown, or the Committee of Supply, or of Ways and Means) Mr. Speaker shall leave the Chair without putting any Question."

I propose to insert certain words which will save from this clause the discussion on the Indian Budget. I shall be able to show, first of all, that this alteration in the procedure of this House which took place on the 28th of February, 1888, was altogether unwarranted and uncalled for; secondly, that it is useless; and, lastly, that it is invidious. In regard to the first point, it may be satisfactory if I turn for a moment to the Debate upon the Rules of Procedure to find what were the objects with which the change in the Standing Order was effected. The objects were briefly stated by the right hon. Gentleman the leader of the House. The right hon. Gentleman said—

> "The object of the change is to prevent a repetition of discussion on the principles of a Bill on the Motion that you, Sir, do leave the Chair. It has been found," he added, "that the Motion that you leave the Chair is greatly abused, and there is a general agreement that a Second Reading Debate should not occur twice over."

I think there are very few Members in the House—if, indeed, there is one—who will take exception to the doctrine laid down by the right hon. Gentleman on that occasion. I certainly do not take exception to it; but I think it can very easily be shown that that argument has no application whatever to the alteration of the Rule in so far as it regards the discussion of Indian subjects. That can very easily be shown by reference to the history of past years. I also wish to note, it would seem, from the course of the right hon. Gentleman's remarks, that it was not specially intended to cover the Debate on Indian topics by this change in the Standing Order. Certainly, at a subsequent period, when it was found that this change had that effect, the leader of the House showed distinctly he was of opinion that the discussion of general topics in connection with India should not fall within the scope of the change. What is the condition of things now that this change has been effected, and how does it contrast with the state of things which existed before the change was effected? I have ascertained from the Debates of the House all the occasions on which, during the 10 years preceding 1890, there has been any discussion whatever on Indian topics in this House. The change occurred in 1888, and, going back to the seven years before 1888, when it was within the competency of the Members of the House to discuss any topic of general interest in connection with India on the Motion that you do leave the Chair, I find that in the seven years there were two occasions when no advantage whatever was taken of the Rule. In five other years advantage was taken of the Rule. But what was the effect upon the time of the House? In 1887 there was only one speech made on the question. In 1886 no discussion took place; in 1885 no discussion took place. In the four earlier years there was a discussion; but it will be found, if you look into the facts of the case, that the discussion on the occasions when there was a Debate on the question that you do leave the Chair was not very prolonged. In 1890 we spent 5 hours and 19 minutes in Committee on the East Indian Accounts. In 1889 we spent something less than six hours, and in 1888 a little more than seven hours. The longest discussion was in 1885, when we spent very nearly nine hours in discussing Indian affairs. But when one comes to take into consideration the great importance of the affairs of the Dependency, there can be no reason for any action on the part of the responsible officers or leader of this House for shortening the time for the discussion of Indian affairs. In the last 10 years we have not devoted 15 hours in each Session to a discussion of Indian affairs. There are a number of topics which are of far less importance to this great country than those connected with India which are debated at much greater length, and it seems to me altogether improper and irregular that a change of this nature should have been allowed to affect the consideration of Indian subjects. I said the change was entirely useless, and I will show why. Under the Standing Orders of the House it is quite possible for every Member who chooses to incur the displeasure of the House to make a Motion respecting India on the question that the House resolve itself into Committee of Ways and Means, and thus interpose himself between the House and the Chancellor of the Exchequer's Budget Statement. Then, I say, the change creates an invidious distinction, because the position of India, as regards this House, is altogether different to that of other Dependencies. We have assumed the entire responsibility of determining what shall be the expenditure of that great country, and, therefore, it is not right and proper that we should treat the matters connected with the expenditure of India in a different manner to that in which we treat our own matters. I think it has a very unfortunate effect upon the people of India when, first of all, it is noticed how little time is allotted to the discussion of Indian subjects, and, secondly, how we treat the question of the Indian Budget. I am not now going to discuss the propriety or otherwise of our Indian Debates being taken at the fag end of the Session; it seems hardly necessary that they should be so taken; but whether that is necessary or not, it is quite obvious that the change which has occurred in the Standing Order is not one of which we can approve. I hope the House will see the desirability and propriety of going back to the old state of things. I hope I shall have the assent of the right hon. Gentleman who now leads the House and the assent of all hon. Members. This is no Party question at all. No question connected with India can be a Party question. We are all deeply interested in doing our duty by that country, whose resources we are so proud of, and whose position is so affected by our discussions.

Motion made, and Question proposed,

"That Standing Order No. LI., be amended by inserting after the words 'Ways and Means,' the words 'or the Committee on the Indian Financial Statement.'"—(*Sir William Plowden.*)

(5.14.) SIR R. LETHBRIDGE (Kensington, N.): I rise to second the Motion, and I appeal to Her Majesty's Ministers to give it a favourable consideration. There is no doubt whatever that the Motion is in absolute accord with the opinions and the earnest wishes of every class of Her Majesty's subjects in India, whether native or European, official or non-official. Everyone in India wishes to see more, rather than less, attention given in the House of Commons to Indian matters, for in the long run the House of Commons really rules the destinies of the Indian Empire. The wishes of all classes in India have been freely expressed in Petitions, and those who follow, as I do, from week to week the Indian Press, will know that there is no subject which excites the interest of the public in India more than the desire that Indian subjects should be taken up in the House of Commons more generally than is now the case. I have had a Motion on the Paper almost identical with that which the hon. Gentleman has moved ever since the day that I discovered the real effect of the change in the Standing Order. At first, in common, I believe, with almost all the Members of the House, except those who are very well versed in its procedure, I was absolutely ignorant of the effect of the change. In 1888 I never realised the effect of the change. Every other part of the British Empire has a right to have its affairs discussed at least on one occasion during the year. The grievances of the Mauritius, or the Falkland Islands, or any other island in the Empire, can be discussed, for instance, on the Vote for the Salary of the Secretary of State for the Colonies. Surely, when we compare the importance of India with that of any other part of the British Dominions, it is right that an opportunity should be afforded of discussing any grievances that may exist in India. Hon. Members will remember that no Indian salaries, as such, are voted in this House. We vote the whole of the Indian expenditure *en bloc*, as it were. That, however, ought not to be given as a reason why we should not have an opportunity of entering into Indian grievances and discussing them. The only argument I have ever heard advanced in support of the existing rule is, that the discussion of Indian affairs in this House is generally based on a certain amount of ignorance and sometimes of prejudice. I do not agree at all with that view. I am quite aware that a large number of the Members of this House are not as entirely familiar with the affairs of India as they are with affairs at home, or perhaps with the affairs of some of the colonies; but I maintain that with the good sound judgment and common sense which is at all times brought to bear in the House of Commons on Indian subjects, especially when Anglo-Indian Members venture to submit them to the consideration of the House, the people of India are quite satisfied, and usually find they derive very great and real benefits therefrom. It has been pointed out that from time immemorial up to 1888 the right for which we are asking was possessed. It is perfectly evident to anyone who reads the Debate on the Motion for the change of the rule that it was not realised that the change would affect the Indian Budget. No one seemed to realise that this would practically preclude the House from taking notice of Indian affairs. I well remember that the very year when the Indian Budget came on I came down to the House with my pocket full of letters and extracts received from friends in many parts of India. I am not sufficiently egotistical to believe that any good would have resulted from what I might have said, but, still, there were many people in India who thought that their views and their grievances ought to be submitted to the House. What happened? I was called to order very rightly by the Chairman of Committees. I stumbled and stumbled on, not knowing exactly why I was out of order, and was called to order a second time. Finally, I had to give up the attempt to call attention to the subjects which had been intrusted to me, and to devote myself to the consideration of the Financial Statement alone. The Indian Financial Statement is not one of a kind that lends itself to very free discussion. It deals with immense figures, relating to subjects of the greatest importance I admit, but it is impossible to devote to it that amount of discussion that would properly attach to every other topic in connection with India. The financial details have been already settled, and there is little to be said upon them. It is on the other details of administration that the common sense and good judgment of this House should be exercised, and for that reason I think the Government will be well advised if they give a favourable hearing to the proposition of my hon. Friend opposite, and allow a reversion to the old and immemorial usages of this House to take place with reference to Indian questions.

*(5.22.) THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): This is a question on which the Government would like to consult the general opinion of the House. If the general opinion of Members is in favour of the

change proposed, it would scarcely be seemly for the Government to make any strong objection. It is rather the duty of the Executive Government to invite criticism on its action, and it is not for the Government to lay down in what particular form or circumstances the House can best criticise its conduct. I think the hon. Member who moved this Motion took rather a gloomy view of the possibilities of Indian discussion when he limited them to the Budget night. Since I have had a seat in this House I know that Indian questions have not only been discussed on the Indian Budget night, but, according to the fortune of the ballot, have found a place on many other evenings throughout the Session. Here we are to-night discussing Indian questions on one of the earliest and best opportunities in the Session. But it is true that the Indian Budget night is the only night on which discussion can be absolutely ensured by any Member who has an Indian question to discuss, and it is for those independent Members who wish to bring Indian questions under Parliamentary discussion to consider how the Indian Budget night can be best utilised for their purposes. It is generally a night towards the end of the Session. The effect of the 51st Standing Order is that the night is devoted to one subject to the exclusion of all others, and that is the discussion of the finances of India. I do not know whether it is the opinion of Members generally that it is essential that the finances of India shall be discussed in this House. If they are to be discussed, the Indian Budget is certainly the occasion on which they can be debated, as the Standing Order ensures that the sole business of that night, to the exclusion of all others, shall be the discussion of the finances. There are, no doubt, a great many subjects relative to India that are not connected with finance. Any discussion upon them has been very properly ruled out of order by the Chairman, and no doubt during the last few years Members have been confined to the consideration of the finances with such rigour as the duty of the Chairman has compelled him to apply. If Members who take part in the discussion would rather have a wider field for their utterances, and would wish to discuss every question connected with Indian administration, the adoption of the alteration of the Standing Order proposed by the hon. Gentleman will give them a chance, but a chance only, of their raising such discussion, because the House must remember that if Amendments are allowed to the Motion that Mr. Speaker leave the Chair, the cream of the evening may be taken up by the Member who is so lucky as to get his name first down on the Notice Paper. That Member will be able, if he wishes, to take the sense of the House at a time when the Government forces are unusually strong, and when the sense of the House is likely to be against him. But we must also remember that this question which absorbs the whole evening may be a question which affects only half a dozen Indian officials or a question concerning a handful of Indian capitalists, whom I suppose the hon. Member for Kirkcaldy (Sir G. Campbell) would call the people of India.

*SIR G. CAMPBELL (Kirkcaldy, &c.): I?

*SIR J. GORST: Or it may be a question which really affects the welfare of the 270,000,000 or 280,000,000 of people whom the Government represent; but whether it is a large question or a small question it may take up the whole of the time of the House to the exclusion of whatever discussion of the finances may be desired on the Budget. It is really for the House to consider whether it will confine the discussion on the Indian Budget to the Budget itself, or allow the wider scope which the hon. Gentlemen who moved and seconded the Motion advocate, but which may result in an unpractical and desultory conversation on a variety of unconnected Indian topics occupying that time which the Standing Order at present devotes exclusively to finance.

(5.29.) SIR W. HARCOURT (Derby): I wish the right hon. Gentleman the Under Secretary had rendered the House a little more assistance by advising us what should be done. It seems to me that, considering that there are 270,000,000 or 280,000,000 of the Queen's subjects in India, we devote uncommonly little attention to them, and I think some more attention should be given to their interests. This matter is becoming every day more urgent, because the people of India are feeling more and more the necessity of having their interests guarded. The people of India see that the House of Commons is capable of applying almost as many hours to preventing the people of Dublin moving a pillar as they devote in a Session to the interests of the 270,000,000 of the Queen's subjects in India, and they desire that the House of Commons should discover some manner in which Indian grievances shall be considered in this House. The figures brought forward by my hon. Friend the Member for Wolverhampton (Sir W. Plowden) are very striking. They are not creditable to the manner in which India is dealt with by the House of Commons. The right hon. Gentleman the Under Secretary has said that if we were to allow Members to bring forward Indian grievances they might occupy much time, and the Under Secretary might not be able to begin his Budget speech until the dinner hour.

*Sir J. GORST: No, I make my Statements in print now.

Sir W. HARCOURT: At all events the right hon. Gentleman said it might throw the financial discussion back. Well, but is it absolutely impossible that in the course of the Session two days should be devoted to India? I think India is worth two days of the time of the House of Commons, and therefore I do not think that is a subject which ought necessarily to stand in our way. I am not speaking from the point of view of one who desires that Indian subjects should become a constant battlefield of discussion in this House. I do not think that is desirable from any point of view. We do not here undertake particular administrations in India in the same way as we undertake particular administrations in the United Kingdom, but, on the other hand, what opportunities now arise of dealing with Indian questions? We all know that on the Colonial Votes that come on under the Estimates, there are constant opportunities of discussion, but of course Indian expenditure does not come under the consideration of the House of Commons in the same manner. I will not myself attempt to propose any method of dealing with this matter. I think it is one highly deserving the attention of the House, but I express no strong opinion on it. As far as I can see there is no objection to the proposal of my hon. Friend the Member for Wolverhampton, which at all events would give a definite opportunity of bringing forward any question of this kind. There may be gentlemen here who understand the matter better than I do, who may think that something else might be done. At all events I think it is a matter extremely deserving of the attention of the House.

*(5.34.) Sir R. TEMPLE (Worcester, Evesham): Though I give credit to the hon. Member for Wolverhampton (Sir W. Plowden), and to the hon. Member for North Kensington, for having brought this subject forward, nevertheless as a practical man I submit to the House that the present plan is far and away the best, because by it one first-rate discussion is secured and devoted to a practical purpose from the first, and to a Debate which relates to the whole of India. Whereas, under the plan of the hon. Member for Wolverhampton the whole evening might be devoted to miscellaneous matters which might or might not be important, and some of which might interest only particular persons who put them forward. Instead of discussing the large matter of Imperial finance, we should be discussing all sorts of grievances which might or might not be fit to occupy the attention of this House. Of course if, as suggested by the right hon. Gentleman the Member for Derby (Sir W. Harcourt), two evenings could be devoted to Indian affairs so much the better. But even then the better plan is to say that the discussions should be devoted to definite matters of Imperial concern. In reference to all this I submit that there is no good whatever in our following the old English method of disparaging ourselves, and I should be very sorry that the natives of India should suppose from to-day's discussion that this House of Commons, or this Parliament, has at all neglected or been inattentive to the interests of India. Quite irrespective of the Indian Budget Debates and the hours of discussion to which my hon. Friend opposite has referred, it will be found that this Parliament has every Session

devoted part of many evenings to vivid and forceful discussions of Indian affairs. I venture to say that the subjects so discussed have been of the very greatest importance to many of our fellow-subjects. We can no longer Debate Indian topics on the Address to the Throne, but we can still day by day put questions to the responsible Minister at Question time in the House, and very often this questioning is an effective way of bringing forward Indian subjects. Besides that, we can ballot for a position on the Notice Paper. There are many Members of the House who take an interest in Indian subjects, and if they all ballot they will secure an evening. Besides those who like myself have lived in India, there is a large and increasing number of Members who take an interest in that country, though they have never been there. Under these circumstances there is no danger of the interests of the great Dependency being neglected.

*(5.38.) SIR G. CAMPBELL: Except that I was sitting opposite the right hon. Gentleman the Under Secretary, I have not the slightest idea why he fixed a dart in me. I was listening with interest and appreciation to his argument when I understood him to suggest that the Member for Kirkcaldy called small knots of capitalists the people of India. The Member for Kirkcaldy is the very last person to do such a thing. On the contrary, any efforts I have been able to make in this House on the subject have been devoted to the purpose of protecting the people of India against knots of capitalists. I generally agree very much with the hon. Member for Wolverhampton (Sir W. Plowden) on most topics, and especially on Indian topics, but I must say that on the present topic I am not much with him, and on this broad ground: that I am inclined to think that the less the House of Commons interferes with Indian affairs the better. An hon. Friend of mine opposite said that some people who took an interest in India were apt to be influenced by ignorance or prejudice. I will not say much about ignorance; what I am most afraid of is prejudice. I have noticed in this House that the strongest influences which are brought to bear on India are those exercised by prejudice, and those of a personal character. I do not think I need go further in illustration of this view than the subject of the Indian Factories Act. Who are those who take the greatest interest in the question of the Indian Factories Act? They are the rivals of the Indian manufacturers—the manufacturers of Lancashire. The questions which are put on this subject are almost invariably put by Lancashire Members. The First Lord of the Treasury told us that to some extent he accepted the views of these hon. Members, and that he had pressed their views on the Government of India; and he told us that the Secretary of State had urged on the Government of India the desirability of prohibiting night work for women and children. We know that work of that kind was a disputable question in this country; but those who are acquainted with tropical climates are aware that night is often the best time for work, and that work is done at night, the day being devoted to rest. I am quite sure that the First Lord of the Treasury, humane man as he is, would never have advocated such a course except under the influence of ignorance and pressure from hon. Members. Therefore it is that I am not anxious that great facilities should be afforded for the discussion of Indian matters in this House. Feeling that such matters would be discussed to a certain extent to the exclusion of other subjects which we already have too little time to discuss, Parliament in its wisdom has thought fit to delegate great powers to a body sitting not far from here, and the principal duty imposed by law on them is that of controlling the expenditure of money by the Secretary of State. I certainly feel the force of that which has been urged on the House by other Members, namely, that if you go into all sorts of discussions on all sorts of subjects—all sorts of personal grievances which will crop up—on the Budget night it will be impossible to discuss Indian finance in the future as you have discussed it in the past. It is clear to my mind that if you accept this Motion it must be on the understanding suggested by the right hon. Gentleman the Member for Derby, that instead of having one night you must have two for Indian questions—one for grievances and the other for the Indian

Budget. If we delegated our duties to local bodies—as I hope one day to see them delegated—and could afford to give one or two additional nights to Indian subjects then, I hope, Members in this House would become better informed as to Indian subjects, and the number of Members who really do desire the welfare of India would preponderate over those who act on prejudice. Under such circumstances, if great good is not done to India, at any rate no great harm will be done. Therefore, I await the decision of the House merely submitting my own view, that I do not think it desirable that the House should have too much control over India, or that too much time should be devoted to the discussion of Indian subjects, until we have sufficiently delegated our duties in the matter.

*(5.45.) SIR R. FOWLER (London): This Debate has recalled to my mind the recollection of the late Mr. Fawcett, and I think my hon. Friends near me will testify that he had as much knowledge of Indian affairs as could be gained without residence in India. Hon. Members will recollect that it was his habit to bring forward Indian matters in connection with the Indian Budget, and on those occasions he addressed the House in speeches of length and fulness, such as would have been remarkable in any man, and suffering as he did from his physical infirmity perfectly marvellous. I heard these then, and look back upon them now with astonishment. At that time the discussions were taken on the Motion that the Speaker leave the Chair. I know there is one argument against this course—that towards the end of the Session the labours of the occupant of the Chair are very great, and that these discussions involve an additional strain upon the Speaker as distinguished from the Chairman of Ways and Means, but at the same time I must admit there are great advantages in the proposal of the hon. Gentleman opposite. My hon. Friend has said he has found himself unable to enter upon certain subjects in connection with India, because the Chairman of Ways and Means has ruled that he could only refer to matters connected with the financial question, and I think there are a good many questions which might be discussed with advantage on such occasions if a rather more liberal interpretation were accorded. There is the question of irrigation, for instance, which might be supposed to have an indirect connection with finance, and there are many cognate subjects which might be better discussed on the general Motion that the Speaker leave the Chair; and recognising the great advantage there was in this respect when such was the practice 15 or 16 years ago, in Mr. Fawcett's time, and feeling that there has been less advantage in the system pursued in later years, I have much pleasure in supporting the Motion of my hon. Friend.

(5.50.) MR. BRYCE (Aberdeen, S.): The hon. Baronet the Member for Evesham has expressed an apprehension lest the effect of Debates in this House read in India should give natives of India the impression that the House is becoming less and less interested in their affairs than the House ought to be. Now, I am bound to say in reply to that remark that it will not be from these Debates that the natives of India will have their attention called to this matter, because any hon. Member who has travelled in India, like myself, will confirm what I am going to say, that there is no topic which an Englishman, and especially if he happens to be a Member of Parliament, has more frequently brought to his attention than this discontent, this regret on the part of the people of India that the House of Commons takes so little interest in their affairs. I never remember having a conversation with an intelligent native in which this subject did not come up, and you find them saying, "You must be far from sensible of the great responsibility which rests upon you, and of the great honour you claim it is to be the holders of such an Empire, judging from the small amount of time you find for the discussion of Indian affairs." It is a matter of very great concern, and there are not a few Members here who do feel the greatness of their responsibility—and who would willingly take whatever opportunity the proceedings of the House afford to bring Indian affairs to the knowledge of the British public. I am far from wishing to see the House of Commons interfering more actively in the duties of Indian Government than now. I do not think that any of us differ from my hon. Friend the Member for Kirkcaldy (Sir

G. Campbell), that it is undesirable that the House of Commons should endeavour to supersede the Government of India or interfere actively with the duties of the Indian Government. It is not at all on that ground that my hon. Friend has made his Motion. His view is that what is wanted is not that this House should interfere directly, but that the House should give mandatory directions to the Indian Government that it should give more attention to, and be more tolerant of, Indian grievances than it is now, and provide better means for bringing the complaints of the Indian people before the British people, not necessarily with a view to action by this House, but in order that the people of India may feel that the facts of their condition are fairly known and studied. Now, the question is, whether this is best effected by having a power of general discussion before the House goes into Committee on the Indian Budget. It has been very fairly stated, Sir, that a discussion with you in the Chair might have a tendency to wander, but there are two or three points connected with our procedure which have a bearing on this question. It is not possible late in the Session for Private Members to secure an opportunity for raising a discussion, and, indeed, even at the commencement of the Session, as some of us from recent experience have found, the rights of Private Members are very uncertain. But towards the close of the Session, after the middle of May, it is extremely difficult for Private Members to obtain any opportunity of bringing questions forward in the House, and not only so, but in regard to Indian questions it is very difficult to keep a House together. As the House knows, towards the period of the year I have mentioned it is the practice of the Government to take Morning Sittings, and it is not easy to bring 40 Members back to the House at 9 o'clock to make a House for an Indian Debate. It is a misfortune, for there are many Indian questions that well deserve Debate; but Members, disappointed of their opportunity in May, June, or July find their only chance upon the Indian Budget. That is a strong reason for allowing this greater latitude for which the Motion pleads. It seems to me that even more material than the particular technical question as to the width of the discussion upon the Indian Budget is the bringing the Budget forward earlier in the Session. The suggestion has been thrown out that the Government ought to give two days for the discussion, and I hope that that expresses the general view. If that suggestion be adopted, it certainly will be an argument in favour of the Motion of my hon. Friend, because the Government will no doubt feel that it is desirable to give the two days at the earliest possible period in the Session. Of course in the last days of the Session the discussion has to be crowded into one night, but if taken earlier then two days might fairly be occupied. On the whole, I think the balance of argument, looking to the fact that we have to satisfy public opinion in India and to show that we are sensible of our responsibilities towards India, is in favour of the Motion.

(5.55.) Mr. CONYBEARE (Cornwall, Camborne): When I heard the remarks of the hon. Member for Kirkcaldy I was inclined to exclaim "Is Saul, also, among the prophets?" The Anglo-Indian official view is not one I feel inclined to adopt. The usual Anglo-Indian official view is that India is governed in the best of all possible ways, and that it is difficult or impossible to discover any means of bettering the condition of the Indian people. Now we cannot all speak with practical experience and knowledge of India, but I am perfectly certain that the great majority of Members who do attend in any degree whatever to the statements and facts they may gather from all sources as to the condition of the people of India must come to this conclusion, that however proud we may be of the great system of administration our forefathers have built up in India, and I in no way wish to depreciate it, yet it falls far short of what it might be expected to be if we relied on the optimistic Anglo-Saxon official view. It is not merely the financial condition of India we wish to bring before the House; that is done adequately enough by the few specialists capable of dealing with the figures in an Indian Budget. We cannot leave out of view the social condition of the people of India, and it is to this we want to call the attention of the people of this country and to enlighten them, through the medium of Debate, upon the condition of our fellow subjects in India. I am inclined to think that few of our people realise what a terrible condition of poverty is that of the greater part of the 270,000,000 of our fellow subjects in India. The average earnings of each inhabitant of these islands is £41 per annum, but the average earnings of an Indian subject of Her Majesty is £2 a year. There are many other facts which might be adduced in proof of the terribly poverty-stricken condition of the people, which suggests that something should be done to stem the constant drain of wealth out of India at present going on. If this were a time to go into details it would be possible to show by accumulated instances the enormous suffering caused by the constantly recurring famines—I will not say the result of our government, but which surely our government has not done enough to prevent. I do not say we are at fault in relieving distress when famine occurs, but we have not been successful in | rooting out the causes of these famines, and it is well the light of public opinion should be directed to the subject. So far as I am able to gather, though I confess my statistics are not altogether reliable or complete, the condition of the people in the native-governed portions of India is far more satisfactory than the condition of the people in those parts immediately under British administration. That surely shows that the causes of the poverty of which we complain and the terribly depressed social condition of the people are not to be found in the inherent qualities of the people or conditions of climate, but may be traced to maladministration or defects in our system. But the question before us is whether we shall return to what was the old Constitutional practice in regard to Indian affairs. The hon. Member for Kirkcaldy is anxious that this House should not have too much control over Indian affairs, and he fears the ignorance and prejudice that exist on the subject. We do not, however, as has been said by the hon. Member for Aberdeen, want to take away the responsibility and power exercised by the India Office, but so far as the system of Government emanating from the India Office is concerned, I say the proceedings ought to be subjected to the light of public opinion. Everything is done in a hole-and-corner manner. We ought to know what the Indian Council is doing, how it conducts the affairs of this great Empire, and I hope the time for this publicity is coming. As to ignorance and prejudice, we know how prejudice has been excited by the rivalry that the Indian cotton manufacturers have established with our home manufacturers, and how, by the development of the cotton industry, Bombay has become a manufacturing city equal to many in this country. We can understand the selfish interests brought to bear against formidable rivals in India, and these influences being exercised in an underhand, backstairs sort of way, we cannot cope with them so long as we are unable to bring the facts before the House. The effect of free discussion in this House would be to stamp with a sense of responsibility those who otherwise might conduct administration to the prejudice of our Indian fellow subjects. I am quite sure that public opinion in this country would be against the exercise of any influence from these selfish trade motives. An excessively small amount of time is devoted here to Indian affairs. I think it has been estimated at 14 hours in a Session for all subjects affecting India. Now, I do not think it is too much to insist upon, that two regular days should be devoted to Indian affairs, one day for the discussion of general questions on the Motion that the Speaker do leave the Chair, and the other day to the specific subjects connected with finance. The Ballot for private Members interested in Indian subjects is an uncertain process, and even when the day is secured the Government steps in frequently and confiscates the opportunity. We know, too, that in the latter part of the Session it is well-nigh impossible, by the influence of a private Member, to keep a House together for an Indian Debate. I do not want to elaborate the various suggestions made, but there is one suggestion I offer. There is a complaint of ignorance of Indian matters in the House, that Members do not make themselves acquainted with the geography, language, and social conditions of the people, and there is a desire for more information on Indian affairs. It is not possible for many Members to avail themselves of the opportunity of travelling in India during the Recess; but I throw out the suggestion that if the Government would place at the disposal of Members berths in some of Her Majesty's ships, there would thus be afforded a ready means of acquiring knowledge, by personal visits, of our great Indian Dependency. I am prepared to have this suggestion met with a laugh; but have we not at this present moment notices in different parts of the House offering facilities to Members to view the launch at Portsmouth, and in the Jubilee Year were not other facilities offered of this nature? I am not in the least alarmed by the fear expressed that important Indian questions may be dragged through the mire of partisan debate. What is required is the ampler discussion of Indian affairs generally, so that free ventilation may be given for all real or supposed grievances. I am certain that much good will result to India from the confidence inspired by the knowledge that an increasing number of people in this country take a lively and sympathetic interest in Indian affairs.

(6.13.) Mr. SWIFT MAC NEILL (Donegal, S.): I have always taken an interest in Indian matters, for I represent a country which, like India, is under British rule, but outside the pale of the British Constitution. We always hear from Anglo-Indian officers that the natives of India are contented and happy; but they are nothing of the kind, and would be foolish if they were. The Government of India is in the hands of a few officials, and Debate in this House was restricted in 1888, just about the time when Mr. Bradlaugh got his mandate from the people of India to take up their cause. Debate is restricted by being taken in Committee on the Budget, and I well remember how this operated when the hon. Member for Shoreditch wished to draw attention to proceedings in India for the authorisation of vice. That had nothing to do with the Budget question, and was accordingly ruled out of order. Similarly, when the hon. Member who seconded the Motion and who has taken great interest in educational matters in India, and has done a great deal to solve the problem as to how far we are able to bring western education and ideas into harmony with eastern life—when this hon. Gentleman thought he was quite within his rights in giving the House some idea from his special knowledge on that subject, he was at once ruled out of order. And a Member of the Government opposite who is a deputy Chairman, I remember, on the Budget of 1889, exercised his legitimate rights, as he thought, and endeavoured to give expression to his views on Indian Government and the Indian National Congress, but he had hardly uttered half a dozen words when he was called to order. I wish to show how Debate is stifled in this House not only by irresponsible Members like myself being ruled out of order, but by even Members of the Government being treated in the same way. I think that what took place on the last Budget was the most emphatic condemnation of discussion of all. I have here a speech by Mr. Bradlaugh—whose presence here we all of us, no matter on what side we sit, were always glad to see, and who was an upright and honourable man, and a great acquisition to the House. I am sure that, of all Members of the House, the First Lord of the Treasury will pay attention to what Mr. Bradlaugh had to say on the subject, for we all recollect with pleasure that in Mr. Bradlaugh's closing hours the right hon. Gentleman forgot all the enmity of party, and wished to tender to the dying man all sympathy and regard. The Chairman of Ways and Means will remember calling Mr. Bradlaugh to order, with great pain. He would have liked to have heard what Mr. Bradlaugh had to say on this most interesting topic, if his speech could have come into consonance with the ruling of the Chair. We all know that, of all matters, the one which has affected Indian trade most materially was the answer of the right hon. Gentleman the Chancellor of the Exchequer on the 24th March, when he proposed to abolish the silver plate duty. Mr. Bradlaugh wished to direct attention to the probable consequences to Indian finance of that abolition, and at once the Chairman said "I do not know how this concerns the finance of India." And then, further, we have a still more important point. Mr. Bradlaugh wished to direct attention to the operation of the salt syndicate in still further increasing the Salt Tax in India, which is one of the worst and vilest taxes of the Indian

Government, and a tax which we alone, of all people, impose upon a native race, and one which was referred to only the other day as a specimen of our rule in India. Again the Chairman said, "I cannot see how that is relevant to the subject before the House." Referring to the point that all matters connected with the salt syndicate were outside the scope of the discussion, Mr. Bradlaugh said—

> "The moment you say that, it is my duty to accept, as I always do with profound respect, the ruling you give, but it then becomes my duty to appeal to this Committee, when it is sitting as a House, to give at least once a year as, by the old custom, always was given, some opportunity during which the representatives of a defenceless nation may put before Parliament their criticism of the official statement made and some reasons for the grievances pointed out."

Those words are more eloquent coming from a man in the grave than they would have been if we had still his kindly presence amongst us. I do not see how the Under Secretary for India can at all, even by implication, limit to one night the discussion of questions affecting the interests of 270,000,000 people who themselves have no voice whatever in this House. So far back as 1873, when Indian subjects did not excite the amount of interest they do at present, the Indian Budget took three nights. I am sure the First Lord of the Treasury would be glad to consult public opinion in India, and would be glad to show to the natives that he takes some interest in their welfare. I hope that when the right hon. Gentleman comes to speak—as I see he will immediately—he will take note of and consider the opinions of Gentlemen on all sides of the House, and those of Mr. Bradlaugh, to which I have directed attention. On all these grounds I respectfully hope, having regard to the magnitude of the question, and to the scant attention given to Indian matters, that the right hon. Gentleman will at once say that the Government will accede, and gracefully accede, to this Motion.

*(6.20.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have listened with great interest to the conversation—it cannot be called a Debate—which has been taking place during the past hour and a half. I find that there is almost a universal concensus of opinion on the part of those who have been responsible for the government of India in any sense, and that there is no desire, whatever, to interfere with the actual administration of affairs in India. The only difference of opinion which has been expressed has been by gentlemen who have hitherto had no responsibility for that Government. The desire we have had in limiting the Debate on the Indian Budget has been to insure the discussion of Indian Finance. It appears now to be generally the opinion of hon. Gentlemen in this House that it is even more important to secure an opportunity for dealing with the grievances of India than to discuss Indian finance. At the same time we do not desire to escape from the discussion of these Indian grievances although we disavow all intention of interfering with Indian administration. If the Debate we have had this evening is circulated in India, I am afraid it will not give the people of India generally a very high opinion of the knowledge and information that this House possesses on Indian subjects, or that they are able to suggest any very pratical method by which the grievances — if they are grievances — can be remedied. I remark that one hon. Gentleman, who spoke in this Debate, said that discussion in this House would probably tend to uproot the causes of famine in India. I have always understood that those causes were drought, and it struck me as very remarkable in the House that any hon. Gentleman should get up and say that a resolution or discussion here could avert those terrible calamities, which are certainly due to causes far beyond any human control. I observe that an hon. Member opposite shakes his head. I wish he could have the responsibility of governing some district in India and would state for himself how he could avert a drought there by any Resolution like this. I only refer to this remark of an hon. Member to show how thoroughly impracticable are some views on the great questions that affect the Indian people. The right hon. Gentleman the Member for Derby pressed on Her Majesty's Government the expediency of yielding to the views expressed by hon. Members on both sides of the House. Well, this

is not a matter on which the Government desire to oppose the appeal of hon. Gentlemen if they wish to discuss questions other than those of finance on the annual occasion when the Indian Budget is presented to the House. There would be no desire on the part of Her Majesty's Government to shut out these questions. The arrangement now in force is the one which best secures the consideration of the finances of India, for which undoubtedly the Government of India is responsible. If, however, in the opinion of hon. Members and of the House, there are questions which should precede the consideration of the finances of India it is certainly not for the Government to interpose any obstacle. I notice that one hon. Member desired that those matters should be discussed at an earlier period than we are accustomed to take, but the House is aware that the actual figures on which the Indian Budget is framed do not arrive from India until the month of June is far advanced, and in the month of June the condition of public business is such that it is almost impossible to interpose a Debate of one or two days in the Debate on some Bill which is before the House, and which it is necessary to press for the consideration of. It is not in our option to present the Indian Budget for consideration at a very much earlier period than at present, and if it is relegated to a late period of the Session it is a circumstance which we regret but which we are unable to prevent. My desire is that hon. Gentlemen who are acquainted with and have an interest in this subject, should have a full opportunity of dealing with it when the occasion arises, because there is no doubt that questions of very great importance to their fellow subjects in India frequently occur—questions upon which they undoubtedly ought to have the means of expressing not only their own views and opinions but those which they know to be entertained in India.

Question put, and agreed to.

EAST INDIA (PRESIDENTIAL GOVERNMENT.)

(6.33.) Mr. BUCHANAN (Edinburgh, W.): I rise, Sir, to call attention to the Presidential system of Government in India; and to move—

"That, in accordance with the recommendation of four successive Governments of India, the system of separate Presidential commands in Madras and Bombay should be abolished, and that the entire administration of all the Indian Armies should be made over to the Commander-in-Chief in India, acting in direct communication with the commanders of the local Armies and under the direct orders of the Government of India."

The question which I have undertaken to bring before the House to-night is one which I do not urge on my own authority as important, but which is looked upon as of the greatest importance by the Government of India. It is one that has formed the subject of continued representations made from time to time to the Secretary for India, ever since the year 1879. I would, in the first place, remind the House that the words I have used in this Resolution are not words of my own, but that they are words which have been employed in despatches that have been addressed to the Government of India; and it is a question in which I am supported by the weight of Indian official opinion and the authority of Indian experts, both civil and military. This authority I may say is overwhelmingly on one side, and the words in my Resolution that the entire administration of all the Indian armies should be made over to a Commander-in-Chief in India, acting in direct communication with the commanders of the local armies of India, and under the direct orders of the Government of India, are those of Lord Dufferin, the earlier words referring to the recommendation of four successive Governments of India being those of Lord Lansdowne—in fact we have the declared opinions of four successive Governments of India in favour of my proposals—namely, of that of the present Viceroy, Lord Lansdowne, that also of the previous Governments of Lord Dufferin and Lord Ripon, and in addition to these we have the opinion of several members of the Government of Lord Lytton, and of Lord Lytton himself. The House will recognise that these four Viceroys were men of different Parties, and who would approach such a subject from different points of view. In addition to these noble Lords who held the office of Viceroy of India, you have also a long list of distinguished men, occupying high civil and military positions in India thoroughly in favour of this proposal. I will not trouble the House with the names, but will only ask hon. Gentlemen who are interested in this matter to look at the list of individuals who have formed part of the Government of Lord Lytton and the successive Governments of Lord Ripon, Lord Dufferin, and Lord Lansdowne, to enable them to see that I am fully borne out in my statement. Not only have the Governments of all these Viceroys expressed the views I have referred to, but that of Lord Dufferin's, on two separate occasions, made earnest representations in favour of the principle embodied in my Resolution. With regard to military opinion in India I will only refer to it for one moment in order to put before the House the fact that we have more than once had the opinion of the present Commander-in-Chief in India, Sir Frederick Roberts, expressed in favour of my view. We have also the strong support of the late Commander-in-Chief, Sir Donald Stewart, and amongst others, who may be said to represent home military opinion in India, the opinions of General Chesney and General Wilson, military members of the Viceroy's Council. The materials before the House, by which it may be guided in forming its opinion on this subject, are to be found in three different Blue Books that have been issued at different times—in 1884 and in 1887, and again last year, in the correspondence which has been issued to the other House of Parliament. I may also refer to the slight discussion which took place in this House upon the subject in the Budget of 1883-84, as well as the further discussion which took place in the House of Lords last Session. I shall endeavour to state the case I have to put before the House as briefly as possibly, and I shall also endeavour to put facts I have to advance as clearly as I can for the judgment of hon. Gentlemen. I do not propose to go back to the ancient history of this question. Practically it all dates from the year 1879, when, coincident with the discussion which took place in this House on Indian expenditure, Lord Lytton, who was then Viceroy of India, appointed the Simla Army Commission to consider the whole subject of Indian Army administration and expenditure. Now what is the present system? I presume it is within the knowledge of Members of this House that as far as the Army is concerned it comes to this—that the Madras and Bombay Army have separate Commanders-in-Chief, and are administered by separate military Departments attached to the local Governments. The Commander-in-Chief is also Commander-in-Chief of the Bengal Army. The Commander-in-Chief in India undoubtedly has a certain general control over all the armies in India, but all questions of discipline and administration of the armies in the Madras and Bombay Presidencies are decided by the Presidential Commanders-in-Chief and the Military Departments connected with the Governments of each of these Presidencies. This may be taken as a very general statement of the position which, as I understand it, is occupied by these two armies. Now, as far as the local service of these two armies is concerned, the grievances that have arisen would not, I think, have been so great as urgently to demand a remedy, but it was owing to the fact that the command of the North-west frontier of Southern Afghanistan was under the Bombay command, and that of Lower Burma, before it was annexed to Upper Burma, was under Madras—it was owing to these two facts and the military operations on these two frontiers that difficulties and confusion has arisen which has given rise to continually pressing demands by the Government of India to the Home Authorities for the abolition of the Presidential system of command. The Presidential system, as it continues to exist, in civil and military matters in Madras and Bombay, is not an administration carefully built up in accordance with the results of long experience, but may be said to be the survival of past history and tradition. Undoubtedly that state of things is due to the fact that our conquest of India started from three bases, namely, that of the West coast, that from the mouth of the Ganges, and that of Madras, and in consequence we had three separate armies for what were three separate dependencies. But the new India, with a Governor General as the central authority solely responsible to the Home Government, is constituted under a totally different system; and the political theory of Government now is that there should be in the Viceroy in Council one individual responsible to Parliament and the British people for the whole administration of that great Dependency. Now, I should like to say that, as I read the papers and correspondence that has taken place between the Government of India and the Home Government, there is no intention whatever of doing away with the armies of Bombay and Madras as local forces, and, as far as mere terminology is concerned, if the commanders of these forces desire to retain titles of Commanders-in-Chief, no objection could be made to their doing so. Those who look at those Papers will see that if the principle I am indicating is carried out, in all probability these forces of Bombay and Madras will be better able to discharge their duties as local forces. Then there is another point to which I desire to call the attention of the House. This proposal, as set forth in the correspondence of the Government of India, is not one for mere centralisation, but for carrying out a system of unity of command, unity of responsibility in the Government of India, and in regard to everything that concerns the Army administration of India. This point is particularly dwelt upon by successive Governments of India, who have urged the matter upon the attention of the India Office. Lord Lytton put it in this way: He said he considered the Government of India should be based on a water-tight compartment system, and the Governments of Lord Ripon and Lord Dufferin favour the views I have put forward, neither of them desiring centralisation, but a proper organisation of the forces. Hon. Members who look at the General Order drawn up by Lord Dufferin's Government will be able to see how the Government of India is prepared to carry out its scheme in detail without actually centralising, but rather by the providing for greater localisation of the forces in the civil and military arrangements of India. Something of a practical nature was done many years ago when the Military Accounts Department was amalgamated, the principle of amalgamation was then conceded, and from that time forward the Governments of Madras and Bombay have been unable to make any alteration which involves the slightest increase of expenditure without consulting the Government of India. The system of amalgamation, as the hon. Gentleman the Under Secretary is well aware, has been further carried out during the last 10 years. The Government of India and the Secretary of State for India have already marched a very considerable way in the direction of carrying out the abolition of Presidential commands. What we urge upon them at the present time is that they should go a single step further and really do away with them as liable to cause very considerable danger in time of war, as well as serious inconvenience. Now, Sir, as I stated, the Simla Army Commission was appointed by Lord Lytton in 1879, and it reported in the same year. But the Government of Lord Ripon had no opportunity as Government of considering the Report. Lord Lytton himself wrote a very strong Minute in favour of the recommendations of the Commission, and particularly of this proposal. Then came the General Election. Lord Ripon's Government did not take up the subject at all spontaneously. They were especially instructed to do so by the India Office in a telegram from the Secretary for India, the noble Lord the Member for Rossendale. Getting those instructions, Lord Ripon took up the matter thoroughly, and in a series of despatches during the year 1881 they dealt with all matters contained in the Army Commission Report, and they recommend the adoption of the bulk of the proposals, including the main proposal of the abolition of the Presidential commands. Lord Kimberley, after long delay in July, 1883, was willing to carry certain minor recommendations of the Government of India, but he refused to abolish the Presidential commands, basing his refusal principally on financial grounds. The Government of India had not been able to show that the financial saving would be quite as much as he had been led to expect and believe by the Government of India. But taking part in the Debate which took place in the House of Lords last Session, Lord Kimberley showed that his view in this respect was very considerably modified. No doubt from that time continuous representations have been made by the

Government of India, and by every Viceroy since the year 1883. In the year 1885 a change was made in our Indian military policy owing to the Russian advance upon Afghanistan. Then measures were passed for increasing the Army of India, and also for fortifications, especially on the frontier of Southern Afghanistan. The matter was taken up by Lord Dufferin in a despatch which he wrote, and which appears in the Blue Book of 1887. The noble Lord the Member for Paddington in October, 1885, agreed to some of Lord Dufferin's recommendations, but he declined to sanction the measure for the abolition of Presidential commands, on the ground that the change could not be carried out without legislation. In 1888 we got the second representation of Lord Dufferin's Government on the subject. They had experienced the difficulties of the situation at Quettah, and in the intervening years they had further experienced the difficulties in Burma. Lord Dufferin wrote a most admirable despatch on the 1st June, 1888, urging this as an eminently necessary reform to be sanctioned by the Secretary of State for India. Immediately, or almost immediately, on the receipt of it, the Secretary of State for India telegraphed for particulars of the mode in which this scheme could be carried out, if it was to be carried out. The Government of India set themselves to work to do this, with the result that we have in this Blue Book the draft general order, and other draft orders. Hon. Members will have an opportunity of considering how thoroughly practical those proposals are, and into what detail the Government of India were prepared to go. Hon. Members who have read the despatches are entitled to assume, as most men would assume, after the Secretary of State had instructed the Government of India to go into this detail, that the principle was already conceded. I am perfectly certain that anyone who reads the despatches will conclude that the principle had been conceded. It was a very great disappointment—a disappointment forcibly expressed by the Government of India themselves when, in the middle of 1889, Lord Cross, the Secretary of State for India, wrote to the Government of India that while he was prepared to sanction several other reforms he was unable to give his assent to the proposal for the abolition of Presidential commands, basing his refusal on the ground that legislation would be required. Now, the question I should like hon. Members to consider is, how is it that the Government of India have so continuously during the last 10 years been pressing this subject on the attention of the India Office? It will be seen from the official correspondence that the Government of India is still as eager in insisting upon this fundamental recommendation being carried out as it was before. The reason is as much a political as an administrative one. In times of peace things get along; there is confusion, but there is no great harm done. But in time of war the Government of India, when active operations are entered upon, has to put the whole military control under the Commander-in-Chief. We find that what took place in Southern Afghanistan had its effect upon the various individuals and authorities who are in favour of this proposal, more particularly upon Lord Lytton. It also had its effect upon the present Secretary of State for War, who in discussing the Indian Budget in 1882, said—

> "All he could say was that at the time of the Afghan War it was proved to him conclusively that the system as it stood was unsatisfactory. He believed there was great truth in the remark made by a distinguished General at that time when they were employing troops both from the Bengal Army and from the Bombay Army, that the result was that they were not operating against Afghanistan with one Army, but that they were exactly in the same position as if they were employing two allied Armies. There could be no doubt that such a system as that caused very great inconvenience and was eminently unsatisfactory."

But in October, 1881, Lord Ripon's Government used even stronger language—

> "We believe that to any impartial mind it will be manifest with respect to the operations in Lower Afghanistan the war was carried out with all the disadvantages and with none of the advantages attendant upon the operations of allied armies. Appointments to high command were made by one authority, while the sole responsibility for the result rested upon another. There were all the jealousies, all the delays, all the recriminations which are incidental to war carried out under such unfortunate conditions."

I do not think any statement coming from a responsible Government like that of India could possibly be stronger than that. It has been confirmed by speeches delivered since in the House of Lords by Lord Ripon. That was the effect of the operations in Afghanistan. The same effect was produced upon the mind of Lord Dufferin and his advisers by their experience in Quettah and Beloochistan. They say—

> "With this experience on record, we regard with apprehension the possibility of our being called upon at any future time to undertake more extensive military operations while hampered by so faulty a system, which violates all the recognised principles of sound military administration; and we feel that we shall be incuring a grave responsibility if we did not once more place on record the sense of the danger to India of allowing the reform so strongly advocated by our predecessors to be postponed any longer."

That I think is equally forcible and equally impressive with the statement of Lord Ripon's Government as regards their experience in Afghanistan. I could further strengthen it by what has been said by Lord Lansdowne's Government, in the year 1889, and by the noble Lord the Secretary of State for India himself. In a despatch which he wrote to the Indian Government he speaks of these Presidential commands as an evil. I think we may fairly conclude from his despatch that he looks forward to the time when the evil will be not only mitigated, but done away with. On what ground, then, has the India Office hitherto declined to sanction the proposal made so forcibly and frequently by the various Governments of India? The argument with regard to finance was laid great stress upon by Lord Kimberley, though his Lordship no longer appears to entertain that view so strongly. The ostensible reason of the noble Lord (Churchill) at the time he was Secretary for India, when he refused the reform, was that legislation would be required. I quite allow that at the time of the noble Lord's despatch, October 1885, there was a General Election in prospect, and that legislation on this subject at an early date was hardly possible. I also agree that to some extent, in the summer of 1888, Lord Cross was justified in pointing out this difficulty of legislation. But now no such difficulties exist. I quite recognise that the India Office is justified in not bringing forward legislation such as this of a technical character until it can fully depend upon an overwhelming consensus of military opinion in its favour. But what I say is, that they have already shown us they have an overwhelming consensus of opinion in their favour, and they would not meet with any substantial opposition to such proposals if they brought them forward. I admit that undoubtedly there may be circumstances which might render difficult such proposals. In a speech delivered in 1882 by the noble Lord the Member for Rossendale (Lord Hartington)—a very remarkable speech delivered on the Indian Budget—he told us that at that time there was a distinct difference of opinion amongst the members of the Indian Council upon the subject, and that the large majority of them were adverse to the proposal of the Simla Army Commission. He went on to state—

> "It is natural that the Council should be opposed to any large and sweeping changes. The Council of India does not represent the prevailing opinion of the Indian Administration. It represents the opinion of 5 or 10 years ago or even longer, and the Council of India will always be of a Conservative character, and will very rarely go to the length which the actual Government of India are prepared to go."

That is the statement made by the noble Lord in 1882. But it must be remembered that the *personnel* of the Council has been largely changed since that time, and I venture to hope that they are no longer in a position of utter hostility to this proposal of the Indian Government. But there is another Department at home, which has something to say upon this subject, and that is the War Office. In a Debate in the House of Lords we have had the Commander-in-Chief himself stating his opposition to this proposal, and as hon. Members are aware very often the War Office, under various Governments, and not this Government only, is very apt in considering matters relating to the Indian Army—to consider them from the point of view of the British Army, and not look at Indian interests. What we want to insist upon in this Debate is that these eminently exclusively Indian questions should be considered from the point of view of whether they are good or bad for India, and decided accordingly. I can quite understand there may be interests connected with our home army which might militate against the abolition of these Presidential commands. They are posts of high dignity, and are often bestowed upon officers who have distinguished themselves at home, and have no Indian military experience. There are other considerations which no doubt induce the Army Authorities at home to retain these offices, but the interests of India should be made absolutely superior to all professional interests at home. I hope I have been able to show that this proposal has been urged by people in high authority in India and by successive Governments of that country. We have had statements from Lord Ripon that he would not like the responsibility of undertaking another war outside the frontiers. We have had statements from Lord Dufferin that there is great danger in not carrying this immediately, and from Lord Lansdowne that the carrying out of this reform is essential to the efficient defence of the country. Lastly, we have the statement of the Secretary of State for India himself that the present system is an evil; therefore, I think, we are justified in urging that no other interests, professional or departmental, should stand in the way. We desire that Her Majesty's Government, should give a fair consideration and a renewed consideration to these representations of the Government of India, and endeavour to put a little pressure, if necessary, upon their colleagues for a speedy carrying out of this reform. We should urge upon them, therefore, that if they have not already done so to take further steps to have the Army in India in the state in which all those responsible for Indian Government say it is necessary it should be if it is to adequately discharge its duty of the defence of that country against external foes. I beg, Sir, to move the Resolution that stands in my name.

*SIR WILLIAM PLOWDEN (Wolverhampton, W.): I beg to second the Resolution.

Motion made, and Question proposed,

> "That, in accordance with the recommendation of four successive Governments of India, the system of separate Presidential commands in Madras and Bombay should be abolished, and that the entire administration of all the Indian Armies should be made over to the Commander-in-Chief in India, acting in direct communication with the Commanders of the local Armies and under the direct orders of the Government of India."

Mr. Buchanan

*(7.8.) THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Mr. Speaker, this question, as the House has ascertained from the speech of the hon. Member, is an extremely technical one, and though nothing could exceed the lucidity with which the hon. Gentleman explained it, I think it must after all be left to the technical advisers of the Secretary of State for India to suggest the proper solution of the difficulty. The hon. Member did not quite do justice in his speech to the Report of the Simla Commission of 1879, which has been the foundation of all subsequent procedure in this matter. When the Simla Commission was appointed in 1879, there were very real dangers and disadvantages in the then existing system of Indian Military organiation. That Commission proceeded in a most careful and exhaustive manner to examine branch by branch into the whole of the military organisation. They made a great number of practical recommendations which affected every branch of the military service in India. They pointed out where there were duplicate offices, where there was division of control, and they showed that, as the organisation then existed, the Commander-in-Chief was unable in time of war, to rely with confidence on receiving proper support from the local Armies, and that, on the other hand, the local Commanders-in-Chief possessing an imperfect knowledge of the objects and nature of the military operations undertaken at headquarters, were unable to give proper assistance. This Commission recommended the abolition of the Presidential system as one among a great number of practical suggestions which they made. This recommendation was forwarded in due time to Lord Kimberley, at that time Secretary of State for India, and was carefully considered by him.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): At that time Lord Ripon was in office.

*SIR J. GORST: Before the consideration of that Report had been concluded at the India Office, the Earl of Kimberley had become Secretary of State. In 1883, after full consideration of the proposals of the Government of India, the proposal for the abolition of the Presidency Armies was rejected by Lord Kimberley and rejected by him on its merits. It was not alleged that there was any difficulty in obtaining time for legislation in Parliament, or that military difficulties existed, but the proposal was rejected on its merits; and I do not think the hon. Member has quite sufficiently indicated to the House the reasons that induced Lord Kimberley to reject it. They are given in a Despatch of the 26th July, 1886. He says—

> "Looking at the differences of military opinion upon the subject"—

So far from there being an overwhelming consensus of military opinion there was a difference. He says—

> "Looking at the differences of military opinion on the subjects, and to the political objections which may be urged against the proposed reconstruction of the Madras and Bombay Armies, and the absence of proof of financial saving, I do not feel justified in recommending the abolition of the Presidential Armies."

But instead of beginning by abolishing the Presidential Armies, the Secretary of State of that day commenced the work of Army reform, which has been continued by successive Secretaries of State down to the present hour, by dealing, one by one, with all the other suggestions made by the Simla Commission in 1879, and by gradually removing every one of the dangers brought to the notice of the Government. There again, the hon. Member has scarcely done justice to the reforms in the military administration of India, which have been carried out by successive Governments of India and successive Secretaries of State. The British troops have always been under the command of the Commander-in-Chief, and so far from the British troops in this country having a strong motive in resisting the abolition of the Presidential Armies, they have very little personal interest in the matter. Since the date of Lord Kimberley's Despatch refusing to abolish the Presidential Armies, the following reforms have been carried out:—The Punjab Frontier Force has been entirely placed under the Commander-in-Chief in India, the Military Account Department has been centralised, the separate Commissariat has been abolished. We have now only one Commissariat Service, the change being made by the present Secretary of State only a short time ago. The whole Transport Service has been placed under one head; the Ordnance has been placed under one head; Clothes, Military Works, Military Education, and the Judge Advocate General's offices have been centralised. There is now one single department under the Government of India for all these offices for the whole of India, and the financial powers of the Commander-in-Chief have been very greatly extended. The effect of these various reforms is that at the present day the objections which could have been justly made in 1879, and which were justly made by the Commission, have been met and done away with, and there is really at the present time, as the Government of India pointed out, very little left to be done in the way of reform. There is now no strong ground why the House or the Government should proceed immediately to make any further change. And, in deciding as to further changes, what, perhaps, is the most important consideration of all is the political aspect of the question. The political considerations involved in the question of abolishing the control over the Native Armies of Madras and Bombay, at present exercised by the Presidential Commander-in-Chief, are the considerations which should weigh most with the House in making them hesitate to interfere in this matter between the Secretary of State and his technical advisers. In all the circumstances of the case I can say that when the proper moment has arrived at which the question of the connection at present existing between the Provincial Governments and the Provincial Armies is ripe for consideration, the reform recommended by the Simla Commission in 1879 will be finally carried out. In the meanwhile, it is said that great difficulties may arise in time of war. I believe hon. Members of the House can be perfectly easy on that score. The changes that have been made have entirely precluded any risk whatever in time of war. In the case of Burma, reference to which was made by Lord Dufferin in a Despatch, there was no marked difficulty in carrying out the actual military operations in Upper Burma. The difficulty which was experienced was a difficulty as to commissariat and transport, because while the troops employed in Upper Burma were under the command of the Commander-in-Chief in India the Commissariat and Transport Departments were, according to the regulations, under the command of the Commander-in-Chief in Madras. There was thus a certain inconvenience in Burma owing to divided control, but that has since been done away with. The Commissariat and Transport Departments are now centralised in the office of the Commander-in-Chief in India, and if the operations in Upper Burma had to be conducted now, there would be no cause for difficulty in those Departments. I think the hon. Member and the House may feel quite safe on that score. Now, why should the Secretary of State decline to make the further change which the hon. Member suggests? I think I have shown the House that no strong reason for that change has been advanced. There has been no proof of danger or difficulty, and no necessity for the reform has been made out. What may be advanced against the change? In the first place, there is a difference of opinion among military authorities. So far from their being unanimous on that point I may say that, undoubtedly, they are divided. My hon. Friend spoke of the military advisers of the Indian Council being unanimous upon this subject. I may tell him that they are by no means unanimous, but that there is a marked difference of opinion between them on the matter. The hon. Member has called attention to the fact that the Commander-in-Chief is opposed to this proposal, and if it comes to be discussed in detail in this House, or in another place, there would probably be a great difference of opinion expressed. Then, again, another reason which I may advance against the adoption of my hon. Friend's Motion is, that there is no financial advantage to be gained from it. Indeed, the financial advisers of the Government of India have come to the conclusion that the change would be the reverse of economical. The third reason is a practical one. It is, that this change cannot be carried out without legislation, and everyone must admit the difficulties of carrying through Indian legislation in the course of the present year. Since I have held the office of Under Secretary for India, I have tried year after year to carry Indian legislation through, but among the Bills which my right hon. Friend the First Lord of the Treasury has massacred each year there have always been two or three of my bantlings, and I should be very sorry to undertake any further Indian legislation under these circumstances, unless a very great demand should be shown to exist for it. I do not think the Government would be justified in introducing a Bill which is not urgently required, and the discussion of which would undoubtedly take up a considerable portion of the time of the House. The fourth reason that I have to advance is, that surely it would be better to wait and see the effect of the reforms which have already been introduced, before endeavouring to carry out these further proposals. I hope that the House will see that these are sound argument in favour of not adopting the Motion of my hon. Friend; and without wishing to undervalue the efforts he has made, I trust the House will admit the desirability of leaving the decision of these highly technical and difficult subjects to the advisers of the Crown.

*(7.29.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I must acknowledge the fairness with which the right hon. Gentleman has dealt with the question before the House, but I wish to demur at once to one sentiment which he expressed at the commencement of his observations. It was to the effect that, because this was a highly technical matter it ought, therefore, to be left entirely for the decision of the technical advisers of the Government. I quite agree with the right hon. Gentleman that it would be presumptuous on the part of any ordinary person, such as the right hon. Gentleman or myself, to attempt to override by the mere weight of our authority the technical opinion given by the more competent advisers of Her Majesty. But the business of the political administrator is to distinguish between the technical and other opinions he receives. You have many persons who give you technical advice, and surely the administrator is not to stand helpless in the presence of those different gentlemen with their technical advice, but he is bound to exercise his common sense and judgment in determining the nature and character of the advice that should be adopted. What strikes me—approaching this subject, as I confess, with very imperfect knowledge of the details

—what strikes me as strongly in favour of the course advocated by my hon. Friend behind me, is that we have Government after Government in India coming back to the charge upon the Secretary of State at home and always urging the necessity of this great change. I am quite agreed with the right hon. Gentleman that much has been done in the way of reforming the system of Army organisation in India; many of the reforms recommended by the Simla Commission have been adopted, but this question is still not settled to the satisfaction of the Government in India, and the right hon. Gentleman, when he says that almost every grievance and difficulty has been removed by the steps taken by the Government, omits to observe the fact that the last Despatch we have from the Government of India—and couched in terms so strong that the words deserve to be read to the House—was written after they were informed that these changes were to be introduced. I am right, I think, in this, that the Despatch of the 5th July, 1889, was written with the full knowledge that it was the intention of the Government to carry out all the reforms indicated. The Despatch from the Secretary of State for India, to which it was a reply, had enumerated the different measures which the Government had determined to carry out;—that the Commissariat and Transport Department should be placed entirely under the Government of India, and so with the Clothing Department and other branches. And I should like to know from the right hon. Gentleman, as I do not wish to treat the matter in the least degree controversially—I should like to know whether any other alterations of that nature have been introduced in addition to those specified in that Despatch! With the knowledge that the reforms were to be made, which the right hon. Gentleman has enumerated, the Government of India say this—

> "We agree with your Lordship that although these measures fall short of the larger scheme of reorganisation which has been submitted to you and to your predecessors, they will, when carried out, accomplish an improvement in the military system which cannot but be advantageous to the efficiency of Her Majesty's Army in India."

They go on to urge the reform, with regard to Presidential commands, which they had urgently pressed on the Government at home, and they use these very strong expressions—

> "Four successive Governments of India have thus supported the proposals which were put forward by the Army Organisation Commissioners ten years ago. The alterations proposed in the administration of the Army are not merely for the purpose of remedying inconvenience, but to impart a practical and working form to an accidental organisation which, in the course of time, developed into a cumbersome and complicated machinery. We desire, therefore, once again to place before Her Majesty's Government our conviction that it would be a misfortune of the greatest moment if this amendment of the military administration which we consider to be essential to the efficiency of the Army in this country should not be carried out in the breathing time of peace which we fortunately now possess, and if the desired change so persistently and so impartially advocated by the Government of India were to be postponed until the disastrous experience of war should force upon Her Majesty's Government the necessity for effecting this most necessary reform of the Indian Army system."

I am well accustomed to the consideration of various army schemes at home, and I never knew any proposal that was not both supported and opposed by a great weight of military opinion; but let it be remembered this is no mere political or theoretical reform which is urged by some persons interested in the question in a speculative way; here are the men who are actually responsible for the safety of our Indian Empire, the Viceroy and his Council, including Sir Frederick Roberts, the Commander-in-Chief, and General Chesney, signing this Despatch, which speaks of it as

> "A misfortune of the greatest moment if this amendment of the military administration, which we consider to be essential to the efficiency of the Army in this country, should not be carried out,"

and who speak of it

> "As this most necessary reform of the Indian Army system."

These expressions were used, not half a dozen years ago, before the other changes referred to, but used in the very Despatch which acknowledges the announcement of the intention on the part of the Secretary of State to introduce those minor changes. What I want to get from the right hon. Gentleman, or someone on the part of the Government, is, has nothing more been done in the interval that has elapsed since that time beyond the changes referred to in the Despatch? I began by saying this is a matter on which possibly few individual Members of this House can express an opinion of much authority. For myself, I base my opinion on the authority of those responsible persons in India who did not take up the matter suddenly, who did not form any speculative view of it, but impressed by the necessities of the case and under a full sense of their responsibility, urged again and again on Her Majesty's Government that this should be done, and have continued to urge them in the terms I have quoted, even after subordinate changes have been made. That, I think, is an ample justification for my hon. Friend behind me having brought forward this Motion. I do not suppose, and, in fact, it was obvious from the tone of his speech that he did not bring it forward in any hostile spirit; we merely wish to impress upon the Government the fact that this strong representation has been made from India in favour of this great reform, and we wish to know how far the Government either have gone or are prepared to go in that direction. There is considerable force in what the Under Secretary of State said, that it is desirable to allow a little time to elapse in order that we may see how these changes that have been introduced work, and how far they may effect the purpose we all have in view. But, in the meantime, I think good has been done by public attention being directed to this matter in this way, and I trust, before the Debate closes, we shall have even more ample assurances from Her Majesty's Government than have yet been given, that the object which my hon. Friend behind me has advocated, if not fully attained has been, at all events, very nearly accomplished.

*(7.40.) SIR RICHARD TEMPLE (Worcester, Evesham): The right hon. Gentleman the Member for Stirling, who has just sat down, very properly said where technical authorities differ it is very difficult for a politician to distinguish between them. I think I am a politician in that position, because I, for many of the best years of my life, was a Member of this very Government in India, whose authority has been already quoted this evening, and had the honour of serving in both the minor Presidencies and conducting the Government in one in time of war. Well, Sir, I may endeavour in a few moments, without detaining the House unduly at this late hour, to answer the speech of the hon. Member for Edinburgh (Mr. Buchanan), who introduced this subject. He quoted, and very properly quoted the concensus of opinion, but the concensus of what opinion? The opinion of four successive Governments in India. No one desires to speak with greater respect than I do of the Government of India; all my prejudices and predilections are in its favour, but still, as a Member of this House, I may venture to say that in all Imperial institutions the besetting fault of official men is ambition—the tendency to aggrandise the particular Government or Department; the particular Presidency or Province to which they happen to belong. Even the men about the Government of India are not exempt from this failing. Again, the great danger of modern times in India is excessive centralisation. The first English statesman in India who saw that was the late Lord Mayo. For many years an endeavour has been made by Governments in India to decentralise in all Imperial matters, and I venture to say that, where there has been success it has been in those places in which there has been decentralisation; and where the management of affairs has been placed in the hands of the Provincial Government on the spot, still there is a tendency to the incessant concentration of all authority in all Departments in one great Government at Simla. That is a position the Government of India cannot be qualified to sustain; instead of being an administrative Government itself, it is to be a supervising Government over seven or eight Local Governments in a great Empire—it is to be the duty of the Government of India not to govern itself, but to supervise other Governments. Now, Sir, as regards the consensus of opinion of the Government of India—is there any consensus of opinion on the part of the authorities of Madras or the authorities of Bombay or the authorities in England connected with India? We have heard of the differences of opinion which exist here, but I can assure the House there is still greater difference of opinion in

India itself. We only hear one side of the question, but in India there are far greater differences of opinion upon this question. Well, Sir, the hon. Member for Edinburgh stated that India ought to be in water-tight compartments. That is a phrase he has borrowed from a great master of phrases—the late distinguished Viceroy, Lord Lytton. With that phrase I concur; but would the House consider for a moment what is the application of the phrase to the subject before the House? It is that you must have three Native Armies in India, with little or no reference to the European troops. It is solely a question of Native Armies. In the nature of things, owing to the varieties of language, of races, of climatic conditions, there is no other way in conducting the various wars and arranging the Military Service. And there is an additional reason. When these Armies were first constituted there was no difficulty in getting recruits; now there is some difficulty, and that is an additional reason for the Government of the country availing themselves of all the recruiting fields throughout the great Indian Empire. If you must have these three native Armies, they have different wants, different sentiments and prejudices, and, what is more, there are different interests. Therefore, it is essential that the various interests concentrating themselves into three great corps of the Indian Empire, that each corp should be under its own particular head, and that head should be the Commander-in-Chief. It is a matter of the gravest importance to make that Commander-in-Chief as great as possible so that he shall fill the largest space in the eyes of the native troops. Hitherto it has been the policy to maintain that position. Now, apparently desiring to concentrate all authority in itself, the Supreme Government propose to degrade the office of Commander-in-Chief to that of Commander of an Army Corps. The House heard that passage so strongly expressed, as quoted by the right hon. Gentleman the Member for Stirling (Mr. Campbell-Bannerman). You heard the Governor of India said—

> "It would be a misfortune of the greatest moment if this amendment of the military administration, which we consider to be essential to the efficiency of the Army in this country, should not be carried out in the breathing time of peace."

Now, really, what is this momentous Amendment? Why, the lowering of the office of Commander-in-Chief to that of a Commander of an Army Corps. I desire to speak with the greatest respect of the Government of India, but, after all, it is a human institution, and I appeal to this House whether these expressions have not the tinge, at least, of exaggeration? Will the House believe that the question whether the Commander-in-Chief, either of the Madras or the Bombay Army, shall retain the *status* and rank of that office, or whether he shall be called Commander of an Army Corps, and whether this change be so carried out or not in a time of peace is such a question that to defer its decision would be a misfortune of the greatest moment? I say, language of that kind carries with it half, at least, of its own refutation. What has been, historically, the effect of the present constitution of the Army—each native Army with its own Commander-in-Chief; each with its own separate interests? Why this: that in the dark days of the mutiny, when the Bengal Army revolted, the Bombay and Madras Armies, though not free from the infection or contagion, nevertheless hesitated to revolt. To any man who knows the history of that time it is patent that had there been but one Army, divided into so many local Army Corps, the danger of the Mutiny extending would have been even greater than it actually was. Undoubtedly, one of the causes of that providential deliverance of ours was the existence of the very system the hon. Member for Edinburgh desires by this Resolution to destroy. It is good, on the whole, for the Army there should be these Presidential commands instead of Commanders of Army Corps. I will not dwell on the financial aspect of the case after what has fallen from my right hon. Friend the Under Secretary of State for India (Sir John Gorst), but as an old Finance Minister of India I can assure the House that several times I have considered whether a substantial saving could be effected by abolishing the office of Commander-in-Chief in the two minor Presidencies. But I never was able to make this out. Something has been said about how the system has worked in the time of war, and something also has been remarked about two allied forces, instead of one united force. Well, Sir, I venture to say that that dictum will not stand the test of thorough examination. How does the system operate when war breaks out? The Government of India settles what the military operations shall be, and who the officer shall be who is to command in the field. These questions having been decided the troops from Madras or Bombay are ordered to be sent to the seat of war, where they are entirely and absolutely under the command of the General commanding in the field, and not under the command of their own Presidential Government. There is a perfect system of organisation, no Imperial confusion, to use the hon. Member's term, and the success of the combined operations has been undoubted in all the wars ever conducted in India. I thank the House for listening to these remarks, and I will not prolong them. I have said enough, I think, to show there are high political reasons connected with the discipline and supervision of the men and officers in the Native Army likely to strengthen their loyalty and make them feel confidence in the Presidential Authorities under whom they are to work, keeping their minds, thoughts, and sentiments fixed on their own proper spheres, and preventing them from combining for any purpose that is inconsistent with the safety of our Imperial interests. (7.55.)

(8.30.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(8.32.) MR. MUNRO FERGUSON (Leith, &c.): The hon. Member who spoke last was, I suppose, a representative of the divided opinion to which the Under Secretary of State for India referred in his speech. But I do not conceive that the evidence he gave would weigh against the views of the successive Governments of India, whose opinions have prompted this Motion of my hon. Friend the Member for West Edinburgh (Mr. Buchanan); and I do not think that up to the present time anything has been advanced which should induce him to withdraw the Motion which stands in his name. If the situation is so perfect as it has been described to us, why have we had all these reports from successive Governments in India? Why have so many of these Governments been practically unanimous in demanding a change in the present system? The hon. Baronet the Member for Evesham (Sir R. Temple) seems to advocate the preservation of a kind of triple alliance amongst the Armies of India. He spoke of the Civil Government of India being a supervising Government over the minor administrations, but I venture to think that that supervising system is hardly compatible with efficient military command and organisation. The hon. Gentleman might equally have argued that because we have inaugurated County Councils in this country the command of the Militia should be taken from the War Office and placed in the hands of the Chairmen of the County Councils. But we have assumed an opposite direction in the conduct and control of military affairs, and I venture to think that the whole of the recommendations which have been received from India, from various persons and from various Governments in that country, tend to show that the reform which is now asked for should no longer be postponed. It is not desirable that this subject should be longer treated with anything like silence, even by hon. Members opposite; and I think it would be regarded with much interest by Members on both sides of the House if the right hon. Gentleman the Secretary of State for War (Mr. Stanhope) would give his opinion upon those military proposals affecting the Army in India. ["Hear, hear!"] The hon. Member who spoke last referred to the subject of centralisation. He said that there had been too much centralisation in India, but that contention was, I think, disposed of in Lord Dufferin's Despatch of 1st June, 1888, in which he says—

> "The proposal is one which substitutes unity of general administration of the Indian Armies for the present divided control. It is not a measure of centralisation in the sense of diminishing the authority of those who are immediately entrusted with the command of the different Armies. On the contrary, the effect of the change would be to increase sensibly the functions of the Commanders-in-Chief of Madras and Bombay by restoring to them the direct command of the whole of their Armies, part of which has now, under the progress of events, passed away from their immediate control."

The whole subject is one which I think is eminently suited for discussion in this House. I agree with my hon. Friend the Member for Kirkcaldy, who spoke earlier in the evening, that Indian affairs are not likely to progress more prosperously because they are more frequently the subject of consideration by this House. But I think this is eminently a subject on which the House is qualified to express an opinion, and I hope the present opportunity of doing so will not be lost. The right hon. Gentleman the Under Secretary for India gave various reasons against the Motion of my hon. Friend the Member for West Edinburgh, but the only one which seemed to have anything in it at all was the one in which he said that any legislative proposal he might bring forward would not receive consideration from this House. Well, if the right hon. Gentleman hatches his chickens so late in the season, it is impossible that they will survive. But if he will bring his proposals early in the Session, at any rate if he brings this specific one, it will not, I think, be the subject of very prolonged discussion in this House, at all events, and it is one which we might very easily pass into law. Another of the reasons which the Under Secretary for India gave us was the financial consideration involved. He said it would cost more money. Well, that is the first time I have heard it suggested that the proposed change would cost more money. I have never heard any good authority state that the change of the system would save very much money, but I have heard it on good authority that the change would rather tend to save money than to increase the expense. At all events, that is a very minor consideration. And the contention that it is impossible that legislation can be considered by the House is very conveniently made use of. It has been made use of before by the Secretary of State for India to the present Viceroy, when he refused Lord Lansdowne's representation on the ground that the change would involve legislative discussion and delays. Why should not a Bill dealing with the reorganisation of the Armies of India be brought before this House and passed? That is what we want to know, and what we have a right to ask.

*(8.40.) SIR W. PLOWDEN: It is clear from this Debate that in the first place the Government of India, for the last 10 years located in India, have been of one mind with regard to this matter, and it is also quite clear from the observations of the right hon. Gentleman the Under Secretary of State for India, and his supporter, the hon. Baronet the Member for Evesham (Sir R. Temple), that they are at daggers drawn in regard to the arguments they are prepared to bring forward in support of the present system. I should like the House to notice how extraordinary is the discordance of argument upon this subject. We have from the Under Secretary of State for India a series of remarks showing what have been the many proposals made. I need not repeat them; but I may make a reference to one which seemed to have escaped the notice of the hon. Baronet. I find that the hon. Baronet stated that the greatest success in the Government of India had been due to decentralisation, and that there was the greatest danger in concentrating all the Departments in one great office. Now, already we have the fact that in 10 important particulars power has been taken away from the Presidential commands and concentrated in the Commander-in-Chief in India. Thus, while the hon. Baronet is all for decentralisation, the Under Secretary here is pluming himself on the centralisation that has been effected in these 10 particulars.

SIR JOHN GORST: I did not commend centralisation, but unity of control.

SIR W. PLOWDEN: I always admire the facility with which the Under Secretary adopts and puts his arguments, and I accept his disclaimer. But I cannot understand how it is possible to get unity of control without at the same time getting a certain amount of centralisation. The hon. Baronet the Member for Evesham says there is a great danger arising from the desire among statesmen in India to aggrandise their own particular parts of the country. But if that is an argument at all, it cuts the ground from under his own argument; for who are these gentlemen who are desirous of this retention of the Presidency Commanders-in-Chief, but the Provincial Governors and the Provincial Commanders-in-Chief — the very men who, as the hon. Baronet has pointed out, are opposing this change we advocate? He says we must have three native Armies in India. I have not the least objection to that; but I am perfectly certain that the Government of India have no idea of doing away with the three Armies in India, and I cannot understand how the hon. Baronet arrived at the conclusion that we are going to do away with these Armies. He has told us if we do away with these Presidencial commands we are doing away with valuable recruiting grounds. I could understand this argument if we only recruited the Presidency Commander-in-Chief. His Adjutant-General, his Quartermaster-General, and his remaining staff do this area. But we do not do this, and whatever happens to these officers, we still retain these recruiting grounds for our native soldiery. There was one other topic which was referred to specially by the Under Secretary of State for India. He spoke, and he took some credit for it, of the British troops—I will not say British troops, but Indian troops—forming the Punjab Frontier Force, having been entirely removed from the Local Government and placed under the orders of the Commander-in-Chief. Now, if there was an instance of the absolute necessity of doing away with the Presidential command it is to be found in this example. The Punjab Frontier Force is one of the finest portions of Her Majesty's Army in any part of the country, whether in Great Britain or anywhere else, and those who are aware of the great feats of arms which that Force has performed take the Punjab Frontier Force as as fine a specimen of our Indian troops as we can find. But that body of troops has been transferred from the Local Government of the Punjab to the Government of India and the Commander-in-Chief. Now, I do not think any hon. Member who is acquainted with the conditions of warfare in India would venture to pit against that Force as superior to it the Armies of Bombay and Madras. If there is a special Force to which may attach greater credit than to any other of our Indian Forces it is this Punjab Frontier Force; yet that Force can safely and properly be removed from the local command of the Punjab Government and placed under the control of the Commander-in-Chief in India. Why cannot that be done in regard to the Forces in Madras and Bombay? We have had certain reasons given to us, but they do not satisfy me. The present proposal has been recommended at the express desire of the Government of India for the last ten years, so that this is not the first time the Indian Government have urged their views upon it. It is a repetition of their claim that their opinions should be acted upon — an opinion which has been held from 1879 to 1890, and that claim is just as strong now as it was in 1879. The fact is that the only real ground for the refusal of the demand is to be found in the patronage which rests in the Military Authorities in this country. It is there that we find the dissentient opinion expressed by Military Authorities at home, for that dissent is not expressed by the Military Authorities in India. You have the Commander-in-Chief in India now, as in 1879, expressing the same views as to the reduction of the Presidential commands. I should like to call the attention of the House to the very strong language in the last letter from the Government of India to the Secretary of State for India. First of all, that letter disposes, I think, of the objection raised by the Under Secretary of State for India in regard to this being a matter which would give us no pecuniary advantage, because on page 200 of the Blue Book they urge this abolition of the Presidential commands in the strongest way, on this very ground of securing thereby a financial advantage. That was the Despatch of the 5th July, 1889, from the Government of India to the Secretary of State, and it decidedly disposes of the argument that we are not to expect from this abolition of the Presidential system any pecuniary advantage. They point out also in that Despatch that it was their earnest desire to have this change, and that it was a misfortune that their desire was not attained; and they ask that this amendment of the military system should be carried out now, while there is peace in the country. They say—

> "We desire, therefore, once again to place before Her Majesty's Government our conviction that it would be a misfortune of the

greatest moment if this amendment of the military administration, which we consider to be essential to the efficiency of the Army in this country, should not be carried out in the breathing time of peace, which we, fortunately, now possess."

Now, we have had debates on this topic in this House before, and the last occasion was when we moved a Resolution on the Indian Budget in 1888. We were not able on that occasion to carry our point, but the arguments in favour of it are just as strong now as they were then. I myself have a letter from a gentleman, unfortunately now deceased, who was President of the Simla Commission, and in it he expressed his indignation that the efforts which have been made by the men who composed that Commission over which he presided had met with such unfortunate ill-success, not from the Indian Government in India, but from the Secretary of State for India in this country.

(8.52.) THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I think that whatever else may be said of this Debate, it clearly shows that the House of Commons, as a whole, is scarcely competent to arrive at a conclusion upon a matter of such detail and of such vast importance to the administration of India. I do not think any hon. Member who has spoken will seriously dispute that proposition. For instance, I find nothing in the speech of the hon. Member who has just spoken which shows that he, or any one of the hon. Members who have addressed the House, draws his illustrations from personal knowledge or from any knowledge attainable in this country, or so as to be able to express a confident opinion either of what has been done in India, or as to the probable effect of the step which it is now proposed should be taken. The one exception is probably my right hon. Friend the Under Secretary of State for India, who has watched very closely the various steps which have been taken; who is able to speak with great authority as to the views entertained by the Government of India; and who, probably alone in this House, is able to appreciate the real importance of many of the details brought under our notice. I, myself, am very much in the position of the right hon. Gentleman the Member for the Stirling Burghs (Mr. Campbell-Bannerman). He very candidly confessed that he approaches the consideration of this subject without any knowledge of recent details, but only with that general knowledge of military detail which he has acquired in the high position he has formerly filled. I feel myself almost exactly in the same position as the right hon. Gentleman. He has spoken to-night of the differences of military opinion on this subject, and he said that, in his opinion, there is no question of military administration whatever about which vast differences in military opinion are not to be found. Well, I entirely agree with that proposition. I am afraid my own experience in that direction is even wider than his own. But I do not think he has given a fair attention to the other consideration which attaches to this subject, and that is, that we have not only a difference of military opinion, but a difference of opinion amongst all the higher authorities who have had occasion to approach this question. We have had four Viceroys of India expressing an opinion in one direction. We have had four Secretaries of State for India of different periods, every one of whom objected on different grounds to the proposal that this step should be taken. I think I may go so far as to say this—that, in my opinion, the difference of opinion that has existed between the Viceroys of India and the Secretaries of State for India has not altogether extended to matters of principle. It has not been altogether difference of opinion on matters of principle that has led to that divergence of view as to the action that should be taken, but it has been because grave doubts have been entertained as to whether the precise time had come for carrying into effect the particular proposals made by the Government of India for the time being. I should like also to say this: This is not a War Office question at all. It is quite true that my connection with the War Office and the connection of the right hon. Gentleman opposite (Mr. Campbell-Bannerman) with the War Office naturally leads people to expect that we should express an opinion upon a very important question of military administration, but I do think that at the War Office we have really very little to do with it indeed. British interests and the interests of British troops are very little concerned in this matter. If any question ever was so, this is essentially a matter of Indian opinion. It is an Indian question from first to last; and I am bound to add also that, for that reason, special attention ought to be paid to those of Indian experience who are qualified to express an opinion on the subject. The hon. Member who introduced this Motion dwelt upon the danger which might exist in time of war if a reform did not take place in the system of military organisation in India, and he referred to the state of things which existed in 1879. Now, so far as regards what existed in 1879, I entirely agree with him. I expressed an opinion at the time, and everything I have heard since has only led me to form a stronger opinion on the subject. I believe our experience at the time of the Afghan War abundantly shows that the military administration at that time in India was by no means a satisfactory one, and that we might have run even greater dangers than those which were proved to have existed at that time. But the hon. Member has frankly admitted that since that time very great changes have been made. My right hon. Friend the Under Secretary of State for India has explained the nature of those changes. I am not qualified to explain them myself, nor have I followed with close attention to detail the alterations that have taken place in Indian military administration. But I am certain from what I have been able to ascertain on the subject that some objections, and grave objections, which existed at that time, have been entirely removed. I am confident that in any matter like this, which involves, we cannot doubt, the gravest questions of military administration, we must proceed by gradual steps. The Blue Book from which hon. Members have quoted to-night, and which showed the opinions of great authorities in India and in this country in respect to this question, amply proves that amongst them all there was this general consensus of opinion that the steps to be taken were grave steps, and ought to be approached with the fullest sense of responsibility; and I believe that is all the more true, because one of the main steps which would have to be taken involves political control over native troops. Now, is there any one man now present in this House who would venture to say that he is competent to express an opinion as to the precise time when political control over native troops in India ought to be transferred from one authority to another? Certainly, having given some attention to the latest knowledge on the subject—I do not think, nor is the Government prepared to say, that the time has come to carry into effect any one of the steps which are included in the general terms of the Resolution that the hon. Member has proposed. But I should not like to deal with it in more detail. The right hon. Gentleman the Member for the Stirling Burghs spoke of it in terms of the greatest moderation; but he showed very clearly that the strong bias of his mind was in favour of the general tenour of the Resolution proposed by the hon. Member, and he advanced arguments to show that we must move in that direction. I admit that I have spoken strongly on this question in this House, and I do not now withdraw a word of what I have said. I believe that the system of military administration in India undoubtedly requires that a considerable modification should be made in it. Some modifications have already been made, and it remains for the Government to see whether any of the changes that have been made have been effectual. It is obvious, I think, that every great change that has been introduced requires that any Government that is wise should watch carefully the effects of the steps that have been taken up to the present time, but which may not even yet have been completely carried into effect. Therefore, Her Majesty's Government think it is their duty to watch and see, at any rate for a short time, what have been the results of those measures that have already been undertaken in the way of change. I am prepared to give this assurance to the House: that while we do not wish to pledge ourselves by a Resolution such as the hon. Gentleman has proposed to carry into effect by legislation changes of a wholesale and widely sweeping character; while we are not prepared to interrupt the work of the House of Commons for the purpose of pushing on such a measure on a subject like this which will require, and which ought to require, very serious attention, and which must necessarily occupy a considerable amount of time, we are at the same time ready and willing to say we will take what further steps we may deem necessary to carry into effect whatever experience may prove to be essential to render complete and efficient the Army organisation of India. Before I conclude my remarks, I should like to say this also: The hon. Gentleman has put before the House a proposal which involves, if it be carried, our arriving at a conclusion of a most drastic character, and which would commit the House and the Government to immediate legislation on this subject. Of course, if the hon. Member insists on taking a Division, we shall be forced to vote; but let me ask the House what would be the effect of such a proceeding? The Resolution proposed by the hon. Gentleman would in all probability be rejected, and this House would thereby be affirming that it is not prepared to accept the proposition of the hon. Gentleman. Now, Sir, that is not the spirit in which I desire to approach this question. On the contrary, I desire to approach it in the spirit of one who, to a great extent, sympathises with the principle enunciated by the hon. Member, but who also desires that the House and the Government should be allowed sufficient time to enable them to judge fully and fairly of the effects produced by the measures that have already been taken, in the belief that the time will then come when we ought to take counsel and consider whether or not any, and what, measures may be necessary to carry out the changes that have been suggested.

*(9.5.) SIR GEORGE CAMPBELL: When I first read the Motion of my hon. Friend I thought it was intended to be much wider in its scope than it has proved to be. It proposes "to call attention to the Presidential system of Government in India," and I thought the hon. Gentleman was going to raise the question of separate Presidencies, in regard to which my own opinion is that separate Presidencies are an inconvenient and expensive survival, which is only justified by those who regard them from the patronage point of view. For my part, I am of opinion that the time has come when they ought to be abolished. But I find that my hon. Friend has confined himself entirely to the military aspect of the question; and, as he has taken that course, I will endeavour to confine myself solely to the military and financial view which is presented by this subject. With regard to the financial part of the question, I have a very strong opinion. I desire that the Commander-in-Chief—the great officer of the British Army who holds the command of the Armies of Madras and Bombay—should be done away with in the interests of economy and the interests of efficiency. We are told that the whole of the European Army in India is under one Commander-in-Chief, and I think it a very good system which requires that it should be so. I know from personal experience the difficulties that arise from this command of the different divisions of the Army. I think that the arrangement under which the three Armies of India are commanded is a very extravagant and a very undesirable one, and, as far as that point is concerned, I am entirely with my hon. Friend. But, on the other hand, and from a political point of view, I think that the Native Army ought to be divided, and that the policy of such a division is made apparent by the experience we have had of the great Mutiny in India. In my view the success with which we were enabled to meet and overcome that Mutiny in India was very much due to the separation of the Native Armies because, by dividing one Native Army from another, we adopt, as it were, the system of building in compartments, in such a way that if one compartment takes fire the other does not. I hold very strongly the view that while we have in India a general European Army, and perhaps, to some extent, also a General Service Native Army, it is most desirable that this should be kept entirely apart from the Native Armies belonging to the different Governments of India—I will not say, of the Presidencies. It is exceedingly desirable that the Native Armies should at all times be kept under separate control, and that they should not be allowed to come much together. This was a policy which I myself held when occupying the position I held in India, and I believe that in this view, which I hold very strongly, I am in accord with the majority of the Council of the Secretary for India. It has always seemed to me that the peculiar position of the natives

in some parts of India is such that it is most desirable that we should not have too much centralisation, but that to some extent we should adopt the principle of Home Rule in these matters. It appears to me that it is an injurious policy to centralise too much, and that it is always safest and best to keep the Native Indian Armies divided. With regard to the civil aspect of these Native Armies, I think that in matters connected with enlistment, the terms of enlistment, and their general relations to the State, there should be a strong element of local government, and not too much centralisation. From a purely practical point of view, I am very desirous indeed of seeing a certain amount of power over the local Armies maintained by the Local Governments of India. I know how expensive it is in the case of a little war to bring to bear all the heavy paraphernalia of a great centralised Army. On the last occasion when I was serving out in India I thought I might have avoided these little wars; but I was not so fortunate. In the East of India we had a good many little wars. When the Commander-in-Chief had to be appealed to, the result was that everything was done on a great scale, two large forces being sent from different points with different Commissariats and different supplies of material. Those two forces were no doubt successfully "marched up the hill" and then equally successfully "marched down again;" and as they, for the time being, quelled the raids of the wild tribes, they were called upon to subdue, the expedition was, upon the whole, regarded as a very successful one. But after a time those wild tribes became as bad as ever, and I believe they are giving a great deal of trouble down to the present moment. Subsequently I had a good many little wars to contend with, and I found that, by avoiding the necessity of appealing to the Commander-in-Chief and carrying on those little wars in my own way, I was enabled to bring them to a successful issue. As I have said, it is in my view most desirable that in these matters there should be certain powers granted to the Local Governments. I am not sure whether the Punjab frontier of India is now under the control and management of the Governor of the Punjab; but if it be so, it is desirable that he should have certain powers enabling him to manage things in his own way, and that the Commander-in-Chief should not be allowed to annex the Frontier Punjab Force. I am not sure whether Madras and Bombay are parts of India which most require a Native Army; but we have a Native Army in Burma, and I am quite sure that there is no necessity for the large paraphernalia the Commander-in-Chief now has in Bombay. I hope that things are not now as bad as they were formerly. If in the future we are enabled to carry out in reality that which is nominally supposed to be carried out, and if we unite the European Force with the General Service Force, at the same time maintaining the local Native Armies under distinct commands, we shall in that way save a large portion of the expense which has now to be incurred without danger to the Native Forces.

*(9.15.) MR. BUCHANAN: Sir, the statements which the right hon. Gentleman the Secretary for War has made were, on the whole, fair. He stated that if further steps were necessary for carrying out the object which the Government of India have in view, the present Government were prepared to take those steps as soon as they found they were necessary or practicable. Under the circumstances, therefore, I beg to withdraw my Motion.

Motion, by leave, withdrawn.

COLONIAL CONFERENCE.

*(9.18.) MR. HOWARD VINCENT (Sheffield, Central): I rise to call attention to the growing desire of the great colonies to enter into closer commercial relations with the Mother Country and with one another, and to move

> "That, in the opinion of this House, an early opportunity should be taken of inviting the self-governing colonies to confer with the Imperial Government upon the best means of developing the trade of the Empire."

I am mindful that a somewhat similar Motion was brought forward in another place; but from what then took place it is evident that the Prime Minister has an open mind upon the subject, for he said that whenever he perceived that public opinion was favourable thereto he would be willing to take steps to ascertain the feeling of the colonies more definitely upon the subject. In view of that expression on the part of the Prime Minister, I trust I shall not be considered as taking up the time of the House unnecessarily on a subject which is second to none in importance to the future welfare and integrity of the Empire. It is perfectly true that the argument might be justifiably advanced with regard to our extraordinary fiscal system; which, while it affords the most extravagant protection to freedom of competition at home, admits to this country not only foreign labour but foreign goods, with the effect of submerging one-tenth of our population and reducing tens of thousands of others to a state bordering on poverty. However, Mr. Speaker, this is a domestic matter in which we need not mix up a colonial question, and especially as we shall have other opportunities of raising it. A large number of hon. Members on both sides of the House are warm sympathisers with the idea of Imperial federation, and many are members of the Imperial Federation League. It is not too much to say that commercial federation is the only road to that Imperial federation of the British race which was so dear to the heart of the late Mr. Forster, and which he hoped to see an accomplished fact. The Colonial Conference, which was the greatest event of the Jubilee year, was a step towards it. But the right hon. Gentleman the Secretary for War, during his too brief sojourn at the Colonial Office, in his Despatch of Invitation expressly excluded this subject from consideration. The fruit of commercial federation has since, however, become far riper. Mr. Hofmeyr, one of the most prominent and loyal of our Dutch fellow-subjects in South Africa, even then presented on behalf of Cape Colony a formal Resolution to the Conference upon the subject of the trade relations between the Mother Country and the colonies and between the colonies themselves. He presented it not as a Protectionist measure, but as an effective measure for the unification of the Empire. The Motion of Mr. Hofmeyr urged

"Consideration of the feasibility of promoting closer union between the various parts of the British Empire by means of an Imperial Customs Tariff."

It was submitted in a speech that was eulogised by the other members of the Conference, and the proposal was described by not the least distinguished among them as "the only concrete one that had been brought forward for the unification of the Empire." The present Premier of Queensland, Sir Samuel Griffith, the ex-Premier of Victoria, and many others took part in the discussion, and no one could read the Report without seeing how strong and unanimous was the feeling in favour of closer trade relations between the great self-governing colonies and the Mother Country. Sir William FitzHerbert, whose death New Zealand has lately mourned, spoke with warmth, but not in warmer terms than the circumstances justified. He said—

"Friend or foe, white or dark man, it is no matter for England. There is no favour or preference given to kith or kin, wherever they may be. If we are to draw closer the bonds of union between the British Empire all over the world, this matter of the trade relations of the Empire is of fundamental importance, and one with which we must attempt to deal."

This view was corroborated by the Prime Minister of Queensland, who declared—

"The first duty of every one of us in every country in the Empire is a duty to the Empire before our duty to any foreign country."

Nor can I forget to quote from a speech by Mr. Service, the distinguished Australian politician. When it was insinuated by one of his colleagues at the Conference that the course recommended might be against the canons of the gospel of one-sided Free Trade, for the support of which the Cobden Club would avow that Englishmen are expressly born into the world, Mr. Service declares—

"I am a Free Trader, but I am not one of those Free Traders who believe in Free Trade as a fetish to be worn round our necks, and who regard it as always indicative of precisely the same condition of things that it was indicative of in the Cobden period, or hold that circumstances might never arise of an Imperial character which might demand a revision of our policy upon that question."

I have to ask the pardon of the House for making these extensive quotations, which are necessary to prove what is the condition of colonial feeling on this question. It has been urged, in reference to another matter which we have been discussing, that we should wait until the people have spoken. In this matter we are urged to wait until the colonies have spoken. I contend that the colonies spoke on the subject, and very emphatically, at the Conference of 1887. They have also spoken since 1887, and are speaking to-day through their most representative men. Now, on the 22nd June, 1889, Sir Charles Tupper, the High Commissioner of Canada, who during his residence here has won the regard of all classes of the community, said publicly—

> "I believe myself that it is most important that Her Majesty's Government, with the support—the united support—of Her Majesty's Opposition, should take the necessary steps for summoning here in this heart of this great Empire Representatives of all Her Majesty's colonies. Means should be adopted by having a great Convention representing every portion of the Empire here in the Metropolis to consider a scheme in all its details."

With the help of my hon. Friend opposite, the Member for Battersea, steps were taken to press home by influential representations this view upon the Government, though I am sorry to say up to the present time with indifferent success. The development of inter-British trade and the termination of all trade engagements with Foreign Powers was also urged in April of last year upon the Dominion House of Commons by General Laurie, a distinguished Representative of Nova Scotia in that House, and recent events have undoubtedly strongly developed Canadian feeling, expressed eloquently as it was by Sir Charles Tupper, the High Commissioner, and expressed, too, in the heart of the Dominion of Canada by General Laurie. Recent events, I say, have intensified Canadian feeling. Now, it is very easy for right hon. Gentlemen on both sides of the Table to endeavour to persuade themselves that the M'Kinley Tariff will very soon be repealed, but, for my part, I shall only believe it will be repealed when that repeal is an accomplished fact. What has the M'Kinley Tariff done already for the United States. A Trade Convention is in progress of negotiation between Newfoundland and the United States. It has won for the United States a preference of 25 per cent. in the markets of Brazil. Most undoubtedly it has provoked a very serious political crisis in the Dominion of Canada. Here at home it has reduced by 45 per cent. already the trade of my constituents with America. In South Wales, and in parts of Ireland also, working men either find themselves without work, or with reduced wages, in consequence of this M'Kinley Tariff, because we have no means of negotiating with foreign countries for the repeal of duties against British trade, having, as was stated authoritatively from the Government Bench several times in the course of last Session, nothing to give in return. But for the Dominion of Canada the state of affairs provoked by the economic legislation of the United States is far worse. Let me quote the words of Sir John Macdonald, the veteran Prime Minister, who, speaking at Halifax on the 2nd October last, said—

Mr. Howard Vincent

> "The United States practically say to us in Canada, 'if you want reciprocity with us or trade with us, there is only one of two things you can do—either annex yourselves to us, or sever yourselves from Great Britain. Start out for yourselves or join us, and we will deal with you; but so long as you are a portion of the British Empire we will not deal with you.'"

Sir John Macdonald went on to say—

> "According to the old saying this would be a case of the lion and the lamb lying down together, but with the lamb inside the lion. No such fate threatens us, however, if we are true to ourselves and true to our country, and true to our children and our children's children. We must continue to remain as we are—happy in living under a magnificent climate, happy in the possession of a fertile soil, and a law-abiding population, and happy in being an integral portion of the greatest and grandest Empire known to history."

And then upon another occasion more recently the Canadian Ministry, speaking on the economic condition of affairs produced by the M'Kinley Tariff in the Dominion of Canada, said—

> "For trade, for new markets, we will look to Australia, to the West Indies, to the Mother Country."

Communications are already in progress between the Dominion of Canada and Australasia; communications are already in progress between the Dominion of Canada and the West Indies; and will not the House of Commons say that, so far as possibly can be done, the great Dominion of Canada shall not look in vain to the Mother Country? It would not only be a fitting answer to send this evening to a veteran servant of the Empire, whose motto and watchword at the present time is "A British subject I was born, a British subject I will die." But in October, 1889, the leader of the Political Opposition in Canada is reported to have said—

"I would be in favour of a more close commercial alliance of Canada with Great Britain. I would favour it with all my soul."

There is only one more witness I will call: Sir Gordon Sprigg, speaking last year in London, said—

"How are the component parts of the Empire to be held together? Having given a great deal of attention to this matter it appears to me that the basis of the Imperial Federation of the future must be a Customs Union. Supposing you do'nt bind together your colonies and dependencies by some such bond as a Customs Union, what guarantee have you that you will hold your Empire together? It has been doubted whether the colonies themselves are in favour of such a proposal"—

and I particularly invite the attention of right hon. Gentlemen to this: Sir Gordon Sprigg replies—

"I will only say that in travelling through this country upon occasional visits I keep my eyes and ears open, and I sometimes think that if I wanted to find illustrations of men who hold fast to the best traditions of Old England I would not look for them here in the centre, but I would go to the distant dependencies where the sons and daughters of England keep watch and ward over the outposts of the Empire."

And these views are, I know, undoubtedly warmly held by Mr. Cecil Rhodes, the present Prime Minister. I have endeavoured thus to show the House, through the mouth of representative men in Australia—one the present Prime Minister of Queensland, another long the holder of political authority in Victoria, a third for a lifetime the Speaker of the Legislative Assembly in New Zealand; through the mouth of the present Prime Minister of the Dominion of Canada, and also of the leader of the Political Opposition; through the mouth of the ex-Prime Minister and other representative men in South Africa—that there is at the present time a growing desire on the part of the great colonies to enter into close commercial relations with the Mother Country and with each other. I might quote Sir Julius Vogel and other eminent exponents of the feeling of the colonies. But it is not necessary. I urge, then, upon the House—in our own interests quite as much as in colonial interests—that early opportunity should be taken of inviting the self-governing colonies to confer with the Imperial Government, not upon a cut-and-dried proposal, not upon some definite scheme, which might or might not be popular; but upon the best means of developing the trade of the Empire. I urge this view upon hon. Members, not only because the colonies expect it of us, not only because it is our bounden duty, but also because the vast growth of inter-British trade compared with foreign trade, now amounting to upwards of £250,000,000 a year, shows that such a union within the British Empire would be commercially advantageous both to the Mother Country and to the colonies. Lastly, I urge it upon the Government, and I do so by reason of the declaration of the Prime Minister at the Guildhall on the 10th November. These were Lord Salisbury's words:—

"We know that every bit of the world's surface that is not under the British flag is country which may be, and probably will be, closed to us by a hostile tariff, and therefore it is that we are anxious, above all things, to conserve, to unify, to strengthen the Empire of the Queen, because it is to the trade that is carried on within the Empire of the Queen that we look for the vital force of the commerce of this country."

And not only have we this authority from the Prime Minister of this country; but I find from the latest publication of the Cobden Club, issued within the last few days, by authority, no doubt, of the hon. Member for Rochdale, under the title *Fiscal Federation and Free Trade*, which ends thus:—

"The Empire would then be commercially impregnable; the Mother Country, the colonies, and India would reign supreme in each other's markets... Such a fiscal federation would require no adjustment; it would avoid all disputes, all jealousies; it would form a bond of union which would defy the threats or blandishments of any scheming Foreign Powers, and prove more durable than any other that could be conceived."

I think I am justified, therefore, in asking the support for this Motion of Free Traders and Fair Traders alike, of both sides of the House, and in asking hon. Members, by acceding to this Motion, to do something, at any rate, towards developing the trade of the United Empire.

Motion made, and Question proposed,

"That, in the opinion of this House, an early opportunity should be taken of inviting the self-governing Colonies to confer with the Imperial Government upon the best means of developing the trade of the Empire."—(*Mr. Howard Vincent.*)

*(9.38.) Mr. STAVELEY HILL (Staffordshire, Kingswinford): I rise to second the Motion. There are two

points which are raised by the Resolution. The first is the great desire of the colonies for a closer commercial union with the Mother Country and with each other. What is it that has brought about that desire at the present time? Undoubtedly the trade which they are carrying on, and which is so fast developing in Australia and in Canada, may be, to some extent, a reason for the growing desire that is thus shown. But there is another matter which I think has a much closer relation with this view, and that is, that our colonies have before them, to a greater extent than ever before, as a great object lesson, the prosperity and increasing greatness of the United States of America. The United States call themselves—and, without doubt, to some extent, properly—a Free Trade country. They have a thorough free inter-State trade, and that is one of the points which is regarded, especially in Australia, and to a very considerable extent in Canada, as the cause of that prosperity. They say here are several States which are able to produce everything they can altogether desire. They have no duty at all on goods passing from one State to another. The duties which they levy are on articles brought in from the outside world, and thus raising their required revenue by a tax by means of which they avoid all other taxation. I do not think that could be better illustrated than by a case which was alluded to by Sir Henry Parkes at the Conference held at Melbourne in February last on the subject of the federation of Australia. The State of Maryland allowed Baltimore to levy a Wharfage Duty on all goods coming into Baltimore from other places than those in the State of Maryland. A potato merchant coming in was asked to pay four or five dollars Wharfage Dues, having come from some other State. He refused to pay it, and was taken before the Court, which ordered him to pay. He appealed to the Court of the State, which affirmed that decision. He then went to the Supreme Court, which held that—

> "It must be regarded as settled that no State can consistently with the Federal Constitution impose upon the products of other States more onerous public burdens or taxes than it imposes upon like products in its own area."

This establishes beyond all doubt the

Mr. Staveley Hill

doctrine that America is in this sense a Free Trade country, and allows no duties to be levied as between State and State. That is the great object lesson which is held before Australia and before Canada. Canada is told, "Set yourselves entirely free from the Mother Country, or even keep yourselves still in alliance with the Mother Country, but join yourselves together to levy duties against the outside world, and have an inter-State thorough freedom with us, and you will become a great country." This matter was brought before the Australian Conference last year as one which would direct their minds on the federalisation of Australia. They would see how, by bringing together Queensland and all the other colonies, they might produce a great country, which might have inter-colonial Free Trade levying duties on the outside world. And when a Free Trade State is told that she cannot profitably enter into a federal connection with Protectionist States, there is one part of the Dominion to which I will call especial attention. It is a vrey great illustration of what may be done in this way. I allude to British Columbia. Victoria in British Columbia was a free port where no dues were levied, and they were very much opposed to being brought into the Dominion of Canada and being thereby subject to fiscal duties. She joined the Dominion, however, and what has been the result? I took the trouble to inquire into the prices and into the duties that were being levied in British Columbia, and I find that the people there are in a singularly more prosperous condition than they were during the time that Victoria was a free port. Wages are very much higher, the highest probably that you can find in the whole circuit of the globe. The necessaries of life, although there are heavy dues, are cheaper than are to be found anywhere else. It might have been supposed that at the Australian Conference there would be a difficulty in discussing this question between Victoria, South Australia, Western Australia, Queensland, and Tasmania, all Protectionist countries, and New South Wales, a Free Trade colony. But that difficulty was dropped entirely. My hon. Friend, in the second part of his Motion, discusses the desirability of a Conference as the best means of developing the trade of the Empire. Can anybody doubt that the tendency throughout the British Empire is to form a federation of the Empire? Can anybody doubt that if this Empire is to hold its own it will be by a closer union between the Mother Country and the colonies? I can only say this for myself: I have gone for many years through the country speaking on different platforms, and I have never, before any part of my countrymen, talked about a closer union with the colonies without finding that it was the one great thing that seemed to interest them more than anything else. The question of the Customs Union must arise whenever this subject comes on, and the question, then, will be; What has England to give, and what has England to gain, by a Customs Union? The colonies will say, "You want customers for your manufactures; look at the M'Kinley Tariff, which is aimed at you," and who can doubt, who has any acquaintance at all with the subject, that the M'Kinley Tariff is aimed at our supremacy, aimed first of all at the detachment of England from Canada? Do not tell me it was a question of the hour. I was in the United States during the Presidential Election in 1884, and the speeches then made by Mr. Blaine were to this effect:—

> "If there is anything that can come into our country which we can produce we shall put a duty on it which shall prevent it being introduced; if there is anything that comes in which we cannot produce, let it come in duty free."

That was the doctrine of 1884; it is the doctrine of the present time; it is a doctrine which has got an immense hold of the people. It was put forward not as a political action at all, because it has ruined to a considerable extent the man who brought it forward. It was put forward as the steady studied resolve of the American people, and it will remain for years to come.' We must, then, face the M'Kinley Tariff as an existing fact. In addition to that, Russia, France, and Germany all have recently increased their tariffs. We may well say to the colonies, "We require your aid to take our manufactured goods from us." England will say, "I have tried all arguments with other countries, and I find I can make no impression upon them, in the sense of making them come to our view of Free Trade." The colonies will reply, "You can give us a preference in bringing in our raw material for manufacturers, and in the shape of food. Find out if we in India, in Canada, in Australia, in New Zealand, and in Egypt produce more than enough to feed you without stint, and when you have found that, say that you will give us a preference to your markets, and we will lower out duties in favour of your manufactures." Sir John Macdonald said to me in 1881 that if England would put but a half-dollar duty on corn coming from all countries other than colonies he would undertake that Canada would allow a preferential duty in favour of England. That is the proposition that is made by Canada, and that will be made by Australia and the other colonies, and I say we should do very well to accede to it. I feel sure the time is closely approaching when the working men of England will see that if they are to keep up their wages, and retain their places in this country, it must be by getting better outlets for their manufactures, and they can only get that by giving to the colonies an opportunity of selling the goods here. I am glad to know that the news that this Motion is made will reach Sir John Macdonald on his electioneering tour. He is a man who, above all others, has the interest of England at heart, and I am sure everyone will wish that Sir John Macdonald may long remain Prime Minister of Canada, and maintain the greatness of the Empire.

*(9.57.) SIR LYON PLAYFAIR (Leeds, S.): I have nothing to blame my hon. Friend the Member for Sheffield for in the way that he has brought forward the Resolution in regard to the Conference, in so much as he has said; but I have some fault to find with him because he has not told us what is the nature of the subject which he is about to bring before this Conference. He could not invite the whole of the colonies to come to a solemn Conference in England without a basis on which the Conference shall go, and he has given us no indication in regard to that basis. So far as the terms of the Motion go, the colonists might be asked to come and discuss with the Free Traders the benefits of Free Trade, and give their views on Protection. Does my hon. Friend want to make a Debating Society by asking the whole of the colonies to come into a solemn Con-

ference in this country without indicating a clear and distinct basis upon which this Conference is to take place? He is asking a very serious question—he is asking the colonies to come and confer, without giving the slightest information as to what they ought to confer about. The basis of discussion ought to have been distinctly laid down. In the course of his speech my hon. Friend showed that he was first a Fair Trader—whom I have always looked upon as a Protectionist wearing a domino—and then a Protectionist. What is the object of this Motion? The right hon. Member for the Isle of Thanet Division of Kent (Mr. J. Lowther) the other day placed upon the Paper a Motion which throws a bull's-eye illumination upon the Motion of the hon. Member for Sheffield. The right hon. Gentleman, in his Motion proposing to invite the colonies to send representatives to a Conference to be held in this country, asserted that there was imminent danger menacing the integrity of the Empire and the interests of all classes engaged in the industries of the United Kingdom, because Parliament has not yet established a differential system of taxation in favour of colonial produce. I have no doubt that the right hon. Gentleman will to-night give the House a thorough-going Protectionist speech in illustration of his Motion. But I should like to ask the right hon. Gentleman what are the facts upon which he bases his alarming suggestion as to the danger to the integrity of the Empire and to all classes engaged in the industries of the United Kingdom? The Trade Returns for 1890 show that our trade for that year amounted to some £684,000,000, and showed an advance over that of 1886 of £122,000,000. Therefore the trade of the country is largely increasing. The right hon. Gentleman suggested that the industrial and the poorer classes were being injured by the importation of foreign manufactures, but the published Returns show that employment is general throughout the country, that wages are good, and that poverty and crime are decreasing. In my opinion, therefore, the right hon. Gentleman has not made out that there is any cause for alarm on the ground that our industrial classes are suffering through our free importation of foreign goods, and there is no ground on that score to ask our colonies to send representatives to attend a Conference in this country. It would, therefore, appear that the black cloud which the right hon. Gentleman seems to see hanging over this country is visible to his eyes only. What has really frightened my right hon. Friend and my hon. Friend is clearly the Canadian elections. There are, no doubt, serious features connected with those elections. There is one Party in Canada which desires to foster the trade with the United States, and to impose differential duties as against British goods. The other Party has a strong feeling of loyalty to England, and desires to obtain reciprocal trade in natural products with the United States. To this England could not have the slightest objection, because the natural products of Canada reach this country free of duty, and if they reach the United States free of duty also all Free Traders would much rejoice. Personally, I am afraid of speaking about the Canadian elections, and I do not think either Party in Canada would thank this House for discussing the subject. I am glad to see that my hon. Friend (Mr. Howard Vincent), who in the Motion that first appeared on the Paper mentioned Canada, has since substituted the words "self-governing colonies," which is much safer and better. Now, when England gave taxing powers to the colonies she gave those powers without conditions. We did not reserve to ourselves the right of insisting that British goods should enter free of taxation. Some of the colonies are Free Trade countries.

*MR. HOWARD VINCENT: Name them.

*SIR LYON PLAYFAIR: New South Wales is a Free Trade country, and so, practically, is the Empire of India. Other colonies are strongly Protectionist, such as Canada, Victoria, and Western Australia. The average duties imposed on imports, for the purpose either of protection or of revenue, vary from 4 per cent. in India to 29 per cent. in Canada. The real object of the Motion of my hon. Friend is no doubt to secure the adoption of the plan which he indicated as having been brought forward with so much ability by Mr. Hofmeyr in 1887. What that means is that all foreign goods of every kind are to be taxed.

*MR. HOWARD VINCENT: I beg pardon. I did not adopt the proposal of Mr. Hofmeyr.

*SIR LYON PLAYFAIR: But that is the only interpretation we have of colonial views and wishes. What is it he is aiming at? Is it a general Zollverein? Are the duties in the colonies to be of equal value or of varying value? How is it possible to have a general Zollverein? You have the greatest varieties in the colonies. You have different climates, different soils, different products, and different people, and, as a result, it has been shown that, with all the efforts to make a taxation upon a moderate scale, the colonies differ as much as from 4 per cent. to 29 per cent. in the mode in which they levy the duties on goods. That is because taxation suitable to one colony is not the least suitable to another colony. But there was one thing that in the 1887 Conference all the colonies were perfectly and absolutely agreed upon. All the colonies desire that England should put a tax—moderate in amount, it is true—upon all foreign imports, but that all imports from the colonies which were not employed for our Revenue, such as tea and tobacco, should be admitted free of duty. At the same time, the colonies absolutely refused to be bound in any way to lower their duties upon British commodities. Now I come to Mr. Hofmeyr's proposal. He said—

> "We require a Defence Fund for the Empire, and I propose that we should put a 2 per cent. tax upon all foreign imports that either go into England or go into the colonies."

He was careful to explain that taxation of foreign goods would be of no use to the colonies unless England taxed food and raw materials. If we taxed foreign imports coming into England 2 per cent., the colonies would agree to put 2 per cent. on foreign imports in addition to what they charge now. The product of the tax is to be kept separate, and made into a Defence Fund, and he calculated then and I calculate now that such a tax would produce a revenue of about £8,000,000 [An hon. MEMBER: £7,000,000.] He said £7,000,000, but now it is increased. Therefore, the colonies propose that England shall tax itself for this special Defence Fund. At present we pay all the expenses of the naval armaments. We are to tax the people of England to the extent of £6,250,000 for the purposes of this Defence Fund; for if all the colonies agreed to come in, the colonies would not pay more than £1,750,000. But would they all agree to come in? Just look at the matter in the light of common sense. The colonies have the greatest varieties in their dealings with foreign countries. For instance, Australia only imports 10 per cent. of foreign goods. Canada imports more than 56 per cent., and the West Indies, 40 per cent. Do you think the colonies are all going on this simple and equal method, to have their foreign commodities taxed when there is such variety amongst them? The foreign trade of the colonies amounts to less than £67,000,000, while the foreign imports of England amount to £325,000,000. The proposal is that England should put an additional tax on its people in respect of this £325,000,000, while the colonies should only put a tax on in respect of £67,000,000. There was a significant circumstance which occurred in that Conference. Some of the colonies said that a 2 per cent. tax on foreign imports into England was of no use to them; it must be much more than that. Mr. Hofmeyr said that he only mentioned 2 per cent. to begin with; it might rise to 5, 10, or even to 50 per cent. Thus we are gradually to be squeezed up until we are in the firm grip of Protection once more. The colonies are to be perfectly independent to tax Great Britain as they like, but England is not to be at liberty to put anything but a tax on foreign products of all kinds. England, after one celebrated experience, has been chary of interfering with the taxation of the colonies. We once tried to interfere with the taxation of our colonies in North America, and we therefore lost the United States. But what is this that is proposed? It is that the colonies in their turn shall come and tax England; it is that the pelican shall vulnerate itself in order that with its own blood it may feed its young. The House will understand the matter better if I take as an illustration breadstuffs. The United States send to this country 35,000,000 cwt. of grain calculated as flour; Canada sends 4,000,000 cwt. From what hon. Members know of the United States and its desire for retaliation, do they think that the United States would rest satisfied to see this country taking the 4,000,000 cwt. from Canada free into this country while harassing the former with all the new Customs apparatus and the duty on the 35,000,000 cwt. which they send here? You know perfectly well that there would be such retaliation immediately as would make us bitterly repent. The whole foreign supply of wheat calculated as flour is 66,000,000 cwt., and of that the colonial supply is only 13,000,000 cwt. Take the case of cotton. The United States furnished us last year with 1,344,000,000 pounds, and the West India Colonies, her near neighbours, send us 500,000. We are to put a tax upon the American cotton. Do you mean to say that the United States would not at once put a retaliatory duty on our cotton fabrics? [Hon. MEMBERS: They do.] They would make the duty prohibitive if you taxed their raw material. The hon. and learned Member for Staffordshire (Mr. Staveley Hill) referred to the M'Kinley Tariff. Does he not know that there has been an enormous upheaval in the United States against that tariff? I have studied the question longer than the hon. and learned Gentleman, and I have noticed the splendid education that has been going on throughout the United States with reference to the tariff; and now there is a new Congress which is pledged to make a reformed tariff immediately, and it contains a very large majority against the ultra-Protectionists. Suppose we were at once to accept the policy of the hon. Member and put a tax upon foreign commodities in order to please the colonies. What would result? You would bring Canada and the United States into a most critical attitude, because you would give a preference to the exports of Canada. We ought to encourage the United States as much as possible to go on in their career of tariff reform, and bring about much better relations with the rest of the world, and especially with Great Britain. I have the greatest admiration for Canada. It has shown itself a most energetic nation. It has connected the Atlantic and Pacific by an iron band which has given to England a new route to the East, for which we ought to be very grateful. I do not blame Canada for her protective tariff, indeed, I think she is forced into it by the action of the United States, and I sympathise with Sir John Macdonald in his efforts to establish with his powerful neighbours reciprocity, for natural products. That reciprocity which continued from 1854 to 1868, bound the two countries together so firmly that, although the United States was engaged in one of the greatest wars which any country has ever had, they did not require one soldier more on the frontier or one single ship of the United States to prevent Canadian Alabamas preying on commerce. Most of us have for years been strongly in favour of political and, so far as we can obtain it, commercial federation with the colonies, but there is much more than that involved. I hope my right hon. Friend (Mr. J. Lowther) who runs his politics just as straight as he runs his horses, and who does not hide his views under a bushel, will tell us what his views are. I will tell him what his views were in 1885. In a speech which he made in Lincolnshire, he said: "the monstrous claptrap of the cheap loaf must be described as moonshine." As my right hon. Friend cannot tax moonshine, he is going to tax the cheap loaf by this difference in favour of the colonies. Consider for a moment what better commercial relations we could have with our colonies than we have at present. England is a great maritime and a great manufacturing nation. As a manufacturing nation this country takes all the raw materials and all the food supplies of our colonies free of duty. We convert them into manufactures, and we send them out as cheap manufactures into the colonies. It is the fault of the colonies if those commodities become dear there. The colonies have their own ideas of taxation; England has its own ideas of commercial freedom. This country finds that it has prospered enormously by making its commerce perfectly free, and we are far from blaming the colonies. I think that they will come round to the views of the question entertained in this country, just as the United States are rapidly coming round to those views, and will eventually largely reduce their duties. There is no antagonism between the commerce and the trade of the United Kingdom and the colonies. The economical conditions of the United Kingdom and those of the colonies differ altogether. Their raw materials come to us free; our manufactures do not go to them free, but in spite of the duties they enter to a considerable extent. We have a large capital in this country, and we are glad to invest it in our colonies for the promotion of colonial undertakings; and if we leave things as they naturally are, it is to be hoped that the colonies will benefit us and that we shall benefit them. There are few fairtraders who advocate this policy who dare to say on public platforms that they want to tax food or raw materials. When those gentlemen speak they always say that they do not wish to tax food or raw materials, but the proposal of the colonies is that we should tax food or raw materials. With all this difference of opinion, therefore, with the right claimed by the colonies to taxation, independently of a Zollverein with us, there is no basis put forward on which Parliament can ask the colonies to enter a Trade Conference. I think that it is not unreasonable to hope that the colonies, when they consider the whole question, and knowing the determination of England to have untaxed food for her people and untaxed raw material for her manufactures, will see that a freer recognition of the principles of commercial freedom must add happiness to the people and security to the Empire.

*(10.31.) Mr. JAMES LOWTHER (Kent, Thanet): My right hon. Friend who has just sat down has taken the mover of the Motion to task because he confined his speech to the Motion which stands in his name, and suggested that the Member for Sheffield ought to have extended his speech to another Motion, which does not stand in his name. Now I venture to think that my hon. Friend would have laid himself open to a call to order had he adopted such advice.

*Sir LYON PLAYFAIR: A passed Motion.

*Mr. J. LOWTHER: It is a Motion I have been unable to bring forward in consequence of arrangements of business to which I need not refer, but which still stands upon the Order Book. I am bound to say I am under no obligation to decline to answer the straightforward question addressed to me by the right hon. Gentleman. The right hon. Gentleman asks me in effect whether I adopt the programme which has been mentioned to-night as instituted by Mr. Hofmeyr, and I reply that the programme of Mr. Hofmeyr is one which in no shape or form am I prepared to endorse. I have not heard of any person in any way responsible for the movement represented on this occasion by my hon. Friend (Mr. Vincent) or who takes an interest in the matter who is prepared to endorse in its details the programme of Mr. Hofmeyr. I have no doubt that Gentleman expressed views on this subject in general agreement with my own. I am disposed to concur with him in his general object, but as to details I most distinctly decline to be bound by his utterances. What did my right hon. Friend go on to say? He said that the supporters of this Motion advocated a system under which this country is to be bound by certain definite obligations to the colonies, while the colonies are not bound by any definite obligations to the Mother Country. Where did he derive that information from?

*Sir LYON PLAYFAIR: From the Conference of 1887.

*Mr. J. LOWTHER: Then all I can say, knowing the care and attention my right hon. Friend has bestowed upon that Conference, is, that he must have eliminated chance sentences from the remarks of one or two speakers, and mistaken them for the unanimous opinion of the Conference. I venture to protest against such an idea as that. We have always insisted on something altogether different. We advocate absolute liberty of action, both for England and the colonies, as to the duties imposed on the introduction of all goods into their territories, with this solitary exception—that such duties as are imposed upon any goods coming from another part of the British Empire shall be met with an increased duty upon similar goods coming from other parts of the world. My right hon. Friend mentioned other matters I certainly have never suggested. My right hon. Friend says that there is to be taxation on wool, which, so far as I have ever heard, has never been so much as suggested, although as to breadstuffs I certainly hold that we ought to be independent of all sources outside the British Empire; and I think when the system comes to be fully considered it will be found that the people of this country will have the advantage of obtaining food supplies from within the limits of the Empire, which are sufficiently wide to include food-producing territories almost boundless in their capacity, and the cry of dear food is a bug-bear we may discard from our minds. My right hon. Friend proceeded to talk with that moderation and good sense which always distinguishes him upon the subject of Free Trade and Protection, an example which might, with advantage, be followed by others who take his view of these questions. My right hon. Friend has convinced himself that Protection is dead in the United States. Well, I thought it was only the other day that the M'Kinley tariff was proposed—an enactment far exceeding in its Protectionist tendency anything that any other country has attempted. My right hon. Friend is labouring under a delusion if he thinks that because the details of that measure have caused dissatisfaction therefore there is any feeling in the United States in favour of Free Trade. There is none whatever—absolutely none, in the sense in which the term Free Trade is used in this country. There is no Free Trade Party in the United States worthy of the name. We have been told that no person is fit to be at large who denies that Free Trade is a universal panacea for all human ills—that the man who doubts Free Trade is a person who doubts the rotundity of the world, or who denies that two and two make four. My hon. Friend the Member for Rochdale is not present, or I would thank him for supplying me with an unlimited amount of literature in which these and similar sentiments are eloquently enforced. What is the feeling of the world on this question? I presume that we shall not now be told that all the wise men of the world are the advocates of Free Trade, while the advocates of Protection are fools. For what are the facts? All the leading men of all political parties in all quarters of the globe, with one solitary exception, have during the last 25 years or more been staunch and avowed Protectionists. All the statesmen of Germany and Russia have never for a moment swerved from the doctrine of Protection. If my right hon. Friend doubts that statement of mine I will supply him with an authority presently which I think he will respect. In France during the reign of the late Emperor Napoleon there were tentative steps taken in the direction of Free Trade. We used to be told that the despotisms of the world were depriving the people of the great blessings of Free Trade. What has been the case with France? The moment the French people gained popular representation steps in the direction of Free Trade were promptly abandoned, and now in France Protection rules supreme. I might go the world through and point that out. I will go to no less an authority than the Member for Mid Lothian to show that Free Trade is on the decline and Protection advancing. At a presentation which took place to my hon. Friend the Member for Rochdale—a presentation in which I would cordially have joined were it not confined to a Political Party—the Member for Mid Lothian, in making the presentation, made some remarks which recall the idea of a skeleton appearing at a feast, and lead one to suppose that he was a doubtful addition to the hilarity of the entertainment, for he said—

> "I think we certainly must recognise—I hope you will forgive me for introducing matters that are not those of congratulation—how much ground has been lost by the doctrines of Free Trade within the last 25 years. It is a great and heavy disappointment. I have no doubt that the dreadful militarism which lies like an incubus, like a vampire, upon Europe, is responsible for much of the mischief, but not for all. You must not forget that in other countries where there is no such militarism Protection is gaining ground. It is gaining ground in America, and I regret to see that it is gaining ground also in our own colonies."

Then the right hon. Gentleman went on to say—

> "When we pass over the countries of Europe together with the great Republic of America, we see that, although the doctrines of Free Trade have never been unconditionally accepted in any of these countries, yet there was a kind of qualified progress towards them. That progress was then exchanged for a stationary condition of opinion, and of late that opinion has been actively retrogressive. But I know of two subjects for consolation—at least, I remember only two at this moment in that survey. In some of our own colonies the principles of Free Trade are still cherished."

These were the statements made by the Member for Mid Lothian in a speech delivered on May 12, 1890, and I advise hon. Members to refer to that speech and read it in detail. The right hon. Gentleman went on to say that in one of the colonies—New South Wales—the colonists had steadfastly, under circumstances of great difficulty, gallantly adhered to the cause of Free Trade. But if the right hon. Gentleman had made that speech in 1891 he would have had to recognise the fact that at the last election in New South Wales, Political Parties upon this subject were so evenly balanced that I am told on unquestionable authority that at present the majority is only 4 or 5 in the Legislative Assembly there in favour of the doctrine of Free Trade. Then the right hon. Gentleman went on to talk about France; but again, I say, if the right hon. Gentleman had to refer to the fiscal policy of France in 1891 he would have to add to that eulogy of Free Trade in that country, that at no period in French history has the policy of Protection been so rampant as at the present time. A proposal involving the addition of a minimum duty of something like 25 per cent. on all British manufactures is now before the consideration of the French Legislature. I will not weary the House with detail, but I think I have shown that my right hon. Friend is, I was going to say, premature—but distinctly he is speaking a day after the fair. Can my right hon. Friend name another colony besides New South Wales, to which I have referred, where Free Trade principles are in the ascendancy?

*Sir LYON PLAYFAIR: India.

*Mr. J. LOWTHER: I must ask my right hon. Friend as a candid man first to remember the distinction always drawn between our colonies and our great Indian dependency, and that India acts in this matter as the British House of Commons wills. But I will also ask him to remember that not many years ago Members of this House used to have their attention probably called to the fact that for revenue purposes in India duties were levied on Manchester goods, a condition of affairs which was only changed after strong protest from those responsible for Indian administration. I have shown that in New South Wales the majority in favour of a Free Trade policy is very small. India we may omit, because the people have no voice, and rightly have no voice; they have not the machinery for suggesting their own fiscal policy. I think I have shown, and I think it is admitted on all hands, that the policy of Protection has rapidly superseded that of Free Trade throughout the world. Only in our own country is there retained a decided prejudice against the introduction of Protective Tariffs. The Mother Country, England, is the only part of the world where this doctrine, which falsely passes under the name of Free Trade, is accepted as a dogma. Sir Gordon Sprigg ex-Premier of Cape Colony, to whose speeches my hon. Friend has referred, and himself a Free Trader, has said that when he went out to the colony, he soon found that Free Trade in the colony was considered to be made for man not man for Free Trade, and Sir Gordon Sprigg went on to say that in the colony it was regarded as a system, to be defended by argument, but by no means to be regarded as a fetish. Now, I ask the House to consider the position in which we stand. If we are prepared to say that in no circumstances whatever will we even allow the colonies to place their views before us in a Conference, and state what suggestions they have to make for the development of trade between us and them, the sooner we give up prattling about the British Empire the better. The policy which is promoted by the leader of the Opposition in Canada—of entering into close fiscal relations with the United States and discriminating against the Mother Country—I am happy to think a large patriotic Party declines in any shape or form to assent to is one which, if adopted, must end in the breaking up of the British Empire, and the fact is that if the Mother Country is not prepared to consider some modification of pre-conceived fiscal opinions, the burden of Empire must fall from our hands. What I understand to be the object of this Motion is, not the laying down of any hard and fast line within which alone a Conference should proceed, but that, speaking broadly, it is suggested that it should proceed on the lines of a preferential fiscal system. But I never would presume to dictate to the colonies as to the details by which they should be bound in such a Conference. The House is not asked to express to-night an opinion as between Protection and Free Trade. I do not ask Her Majesty's Government to afford any indication as to which direction their personal views may incline. I do not ask them if they are of one mind on the subject. But what I do ask them is whether they are prepared to entertain this question, as not only a practical question, but an urgent one, without committing themselves to laying down at present any definite programme, without pronouncing at present the exact time or circumstances under which this Conference is to be convened; but that this subject, which is engaging so much attention throughout all parts of the Empire outside these Islands, shall receive some consideration, and that promptly, at the hands of Her Majesty's Government. During the last quarter of a century, I would point out to the House that, of late years a marked change of feeling has taken place in the country on this question. We know that the balance of power has shifted during the last quarter of a century. I have personally incurred no responsibility with regard to that transfer, and, therefore, I may speak with perfect freedom upon the point. But the House knows well that, whereas the old £10 householder was for the most part connected with the retail trade of the country, and as a middleman, he was easily taken in by the specious cry that the producer must be left to take care of himself, and that it was only the consumer towards whom we ought to show any regard. The power has been transferred from the consumer to the producer, and those who possess the power have no hesitation, as I think is borne out by the attitude of hon. Members below the opposite Gangway, in advocating measures which they believe will redound to their individual advantage, however much they may offend against the doctrines of Adam Smith and John Stuart Mill, as evidence of which I may remind the House of the Motion unanimously adopted upon Friday last regarding Government contracts, which, a few years since, would have been denounced as tending to deprive the people of the blessings of cheap lodgings and cheap clothing. The working classes have, however, realised that they have the means of securing their full share of increased prices, and that labour derives advantages from what formerly redounded only to the benefit of capitalists and landlords. There has, moreover, grown up a strong Imperial feeling among all classes of the people, and I think the Government may rely upon it that the old clap-trap cries which at one time used to prevail have lost their hold upon the electors, and that there is now among all sections of the inhabitants of these Islands a firm determination in every possible way to advance legitimate intercourse between Her Majesty's subjects in all parts of the globe, and to promote the true interests and greatness of the British Empire.

*(11.5.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I could have wished that the chances of the ballot had placed this Motion somewhat later, because, in some respects, it would have been better that the Canadian elections should not have been alluded to during the present Debate. It has been said that if this Motion were to pass, it would be a cordial message to Sir John Macdonald, but whether this Motion be passed or withdrawn, the sentiments of the House of Commons with regard to the Canadian struggle would remain precisely the same. I know that I shall be expressing the unanimous feeling of the House when I say that no inferences should be drawn from the present Debate, or from whatever may happen to the Motion, that we should in any way desire to influence the Canadian people in voting on the one side or on the other. I am disposed to think that we should—I will not say resent, but should dislike during our elections any such influence coming from any of our colonists to us; and I trust that all Parties, whatever happens in the present elections, though we have our predilections, and strong predilections, on the one side or the other, will feel convinced of the loyalty of the Canadian people towards this country. There are some respects in which I may say I cordially agree with the Mover and Seconder of this Resolution. I doubt whether the right hon. Gentleman (Sir L. Playfair) sufficiently appreciated the bearings generally of this question. If it were a question of Protection and Free Trade—if it were simply a question of that kind—then I can quite conceive that he would be perfectly right in almost every word he said, though not in all. But the issue is far wider. I believe, with many of my hon. Friends on this side of the House, and a great many hon. Members on the other

side, that the feelings of this country towards the colonies during the last 25 years have become warmer, and that a great desire for nearer relations with our colonies has become distinctly a political feature of the present time. I would be prepared to acknowledge that the statements and sentiments which have fallen from the leading statesmen of the colonies deserve the respectful attention of this House, and that we should certainly endeavour to consider how far this fiscal question may be a political question in the very widest sense. I have from the commencement of my political career been one of those who have always held these views with regard to the colonies. There was a time when those of the extreme Radical school of Free Trade could scarcely be brought up to the proper mark with regard to consideration for the colonies, and when it was thought the colonies might be simply a burden to this country. They used to add up the expenses caused by the colonies and make an arithmetical calculation in respect to imports and exports, and then to consider whether the balance was in favour of our retention of the colonies or not. I am glad to think that any such ideas have ceased to be prevalent. Now, a fair appeal may be made to the country at large to consider fairly what are the interests of the colonies, at the same time with the distinct belief that there are common interests, and that this Empire is more powerful the more closely our colonies are knitted to it. Of course, all this may be difficult of proof, but it is the less necessary to prove it now than it was in times past, because it has become more accepted as a political axiom. I will concede to my right hon. Friend who spoke last that in another respect, too, there has been a change in public opinion. I was much struck by the remarks he made as to the change of sentiment with regard to the item of cheapness which has taken place in the country generally. I think hon. Members opposite will have felt that he was justified in saying that doctrines which used to be held almost as sacred—the doctrines of Adam Smith and John Stuart Mill—have no more that strong hold over the opinions of hon. and right hon. Gentlemen opposite that they used to have. Being myself one who does not hold that those doctrines ought to be banished to Saturn, but who is convinced that they have rendered great service to this country and will continue to do so, I feel that hon. and right hon. Gentlemen opposite have lost much of the firm ground on which they stood, because in so many directions they have abandoned those sound doctrines one of which was Free Trade, but others of which no longer command their adhesion and scarcely their respect. That being so, I must advise them to furbish up all their arguments for defending that sound position in which they still believe with regard to Free Trade. My right hon. Friend was perfectly correct in saying it will no longer do to speak of certain views as simply clap-trap. In these days not only Smith and Mill but every authority in the world has to submit to be questioned; the advocates of orthodoxy in every direction are obliged now to look to it that they are able to defend their case; and the sublimest truths of religion are questioned in sceptical and frivolous conversation. My hon. Friend brings forward this Motion with a view to bringing the colonies and the Mother Country closer together. The right hon. Member for Leeds connected this Motion with one made last year by my right hon. Friend the Member for Thanet. But there is another Motion with which it may be connected, one made in another place about a week ago, and which not only embraced the question of drawing closer together the colonies for the sake of trade, but which extended the object to the desirability of providing a fund for the common defence of the Empire. My hon. Friend has to-night laid no stress whatever upon that point, and those who supported him scarcely endorsed that view; but it is one of the points which has laid hold of the imagination of the colonists, that possibly they might by some re-arrangements of their fiscal systems contribute somewhat to the naval defence of the Empire. I hope I shall not offend any one by saying that I hope the colonial movement as it is called—that is, a movement for closer union with the colonies—will not be prejudiced by any suspicions that its champions have got a kind of sneaking desire to promote Protection at home. The right hon. Member for Thanet carries his badge upon his sleeve; others have not been quite so open. I am bound to say we must endeavour to scent out Protection, if I may say so, because Protectionists lurk in many places where you would scarcely expect to find them. Some of them mingle with the bi-metallists behind their silver robes; others join the Imperial Federationists and wrap themselves round in the folds of the Union Jack. I trust we may be able to keep separate this question of closer union with the colonies, because I am afraid, being in favour of that closer union myself, if it is suspected of too much of the Protection taint, it will not have that influence on the masses which we desire. I am anxious to keep the whole of this great question, in which I feel as deep an interest as any man, out of those questions which may prejudice it when we come to have it argued on platforms. The hon. Member for Staffordshire spoke of what he said on the platform; I presume he was able to put it to his constituents in this way—"Will you pay in the shape of somewhat dearer bread for the consolidation of the Empire?" I think it possible that the advantages of the consolidation of the Empire may be so great that, if the increase in the price of the loaf is extremely small, the producers, with whom the power now lies far more than with the consumers, may not object. I am not so absolutely certain of the answers to be given if the matter was considered at an election time, because the one Political Party would say, "You are going to increase the price of the loaf." If it were made a political question, if it were put as a question of making bread dearer, I am bound to say that no such plan would enter into the region of practical politics. That is my strong belief. But, on the other hand, I cannot deny that I think this country may well be prepared to pay something for continuing the union of the Empire. I hope our colonists will thoroughly understand that you could not put, in my judgment at least, a duty upon corn without raising the price of bread. The feeling among some of my hon. Friends is this. The area devoted to the production of wheat in the colonies is so immense that they would be able to provide for this country with the assistance of our own farmers, so that we might be independent of all other countries. I understand my hon. Friend to say that although the proposed change might increase the price of bread, the advantages gained in the greater consolidation of the Empire will be worth the sacrifice made. I ought, perhaps, to say that, in my judgment, it must raise the price of bread. What is the grievance of the Protectionists with regard to bi-metallism and the imports of wheat from India? It is that the wheat of India, with the bounty given it by silver, has lowered the price of wheat all over the world. What is the converse of that proposition? If the accession of India to the wheat-producing countries is sufficient to lower the price of bread, does it not stand to reason that the withdrawal of Russia or America from the wheat-producing countries from which we purchase will raise the price of bread? I am anxious to carry conviction to the minds of some of our fellow-subjects in the colonies, who think we might legislate in this direction, the extreme difficulties of such a course. What can we do? There are two great systems—one, the system of Customs Union; and the other that of imposing differential or discriminating duties. The hon. Member for Staffordshire pointed out that the United States of America is practically a Free Trade country, because there are no barriers of Customs between the different States. If our colonies were prepared for a Customs Union in that sense—that there should be Free Trade with no barriers of Customs to keep out English goods from the colonies or colonial produce from this country—if that were the case, I should say, "The colonies mean business, and let us see how far we can re-construct any portion of our fiscal system which militates against such results." I should say the difficulties would be enormous, though they ought to be faced for the sake of the great objects to be secured. I differ from the right hon. Member for Leeds, who supposed that if we had any Customs Union or arrangement by which favour was shown to the colonies, that the United States would have a right to interfere. I do not think the United States would have a right to remonstrate or interfere in the way he suggested. The right hon. Gentleman suggested England would be brought to her knees; but I must enter my protest against such an extreme application of the view, that under no circumstances could we make fiscal arrangements with our colonies without injuring other portions of our trade. If we find we could make the whole Empire one as regards Customs, surely we have the same right of Zollverein Union with our colonies as Germany has with Bavaria, or the United States among themselves. I claim for ourselves the same right. I think the right hon. Gentleman opposite will not deny that we have the right; but how near are we to any such consummation? What chance or hope have the colonies held out to us that they are prepared to move in this direction? The most they would do in the way of approaching this suggestion is that they will keep a wall 10 feet high against us and make it 11 feet high against foreigners. Supposing we made immense sacrifices to effect a Customs Union with the colonies, it might be that the opening made for our goods was on such a small scale that it would be but a slight relief against the immense sacrifices of trade we should be obliged to make in other directions, because of the imposition of dues. We ought to have securities from the colonies, not merely that they would put a 5 per cent. extra tariff upon foreigners, but that their tariff itself should be such as would be likely to protect this country from loss. In some articles their business might be sufficient in the quantity of goods taken from this country, but in many cases their tariff might be so prohibitive that the exports from this country might be lessened. What portion of foreign goods would be excluded, and what portion of our goods would be admitted in its place? I am afraid the portion of foreign goods which ours would displace would in many cases be very small. It is suggested that we should put on some duties in this country; but if we were to do that, they must be discriminating duties as against the foreigner. But how can we manage that with our present tariff and with the present items of consumption which we tax? What do we tax? We tax tea, tobacco, spirits, and wine. These are articles which are not produced in any quantity by our self-governing colonies, by Australia or Canada, and therefore it would not affect the position of those colonies as regards those articles. What should we have to do therefore? We should have to have recourse to other articles; we should not be putting a discriminating duty, but we should be putting on a duty for the first time, and there is the great difficulty. There are very few articles which are imported in so great a quantity from our colonies as to really affect their trade largely, with the exception of food stuffs, wheat, and wool. Supposing you put a duty on wool——

An hon. MEMBER: No, no!

*MR. GOSCHEN: I certainly agree with that. Supposing you put a duty on raw materials—on wool—would not our manufacturers in Bradford and elsewhere have to pay 2 per cent. more for their wool than now?—and, in fact, from the falling off of competition they would have to pay 4 or 5 per cent. more. How then would they be able to compete with the manufacturers from abroad whom they are endeavouring to displace? If we endeavoured to secure a greater output for our manufacturers by imposing duties on raw material which hampered the industry, we should shatter a part of our commerce without getting that increase of manufactures by our colonies which we should all unanimously desire to see accomplished. I think I have put some formidable arguments before my hon. Friends. I do not mean to say that if the colonies came forward with proposals which meant large changes some alteration in our fiscal arrangements might not be brought about; but we have had no proof whatever of a desire of that kind on their part. None of the declarations of Prime Ministers or speeches made in the colonies show that the colonies would be prepared to do more than pay an addition of 5 per cent. on the small amount of imports which they take from foreign countries, or, as Mr. Hoffmeyer said, 2 per cent. That is all they propose, and the right hon. Gentleman the Member for Leeds was justified in what he said with regard to the defence of the Empire. The arrangement suggested under the Hoffmeyer scheme is such that this country would have to pay £6,300,000, while the colonies would only pay £1,300,000. At the same time, I respect the view of the colonies that something should be done for Imperial defence. I have thought it right to say what I have said, not by way of throwing cold water on the desire of the colonies to come closer to this country, but it is only following a will-o'-the-wisp if we simply utter general sentiment, without pointing out some of the first conditions necessary to closer commercial relations, and some of the difficulties to be overcome. I confess, as Chancellor of the Exchequer, nothing would be pleasanter to me than to see the taxpayers of this country relieved of some of those gigantic sums for naval defence which they almost alone contribute at the present time. I am bound to say that the amounts contributed by the colonies towards naval defence in its broadest sense are extremely insignificant. The cost of defence has increased enormously; every ship, every gun, every article of war, has increased in expense to an alarming extent, and this country bears almost the whole of that increase, while we do protect our colonies, and they know that they can rely on our Navy securing the highways of commerce, and that right of access to all parts of the world to which our fellow-subjects in the colonies believe themselves quite as much entitled as any subject of the Queen living in Great Britain and Ireland. Therefore, I should be only too glad that colonial statesmen should approach the idea that there should be a wider area over which the cost of our Imperial defence should be spread. To come to close quarters with the Motion, I may say that nothing would give me greater pleasure personally than if representative men connected with the finances of the various colonies conferred together, and with me, as to what changes, if any, might be made on both sides. But to invite a formal Conference of all the representatives of the colonies without some basis or ground which would lead us to believe that some progress would be made, and to ask them to meet here without first principles having been settled upon which any arrangement could be come to, would seem to me to be a course which must end in disappointment, and would be unlikely to lead to any practical result. But I can assure my hon. Friends that Her Majesty's Government shares with them their desire that some means should be found to bring the colonies closer to this Empire; and we shall neglect no opportunity of seeing whether, out of the discussions which have taken place, and out of future discussions, some good may come, and such changes may be made as will, if they do not realise the dreams of my hon. Friend, at all events, result in good to all classes of the country. I do not deny that I am glad that it has been put forward to the people of this country, upon platforms and elsewhere, that our Colonial Empire is a matter of supreme importance; and I think the people may be fairly asked: is the House of Commons—are your leaders—prepared to make any sacrifice of convenience or pocket in order to contribute towards the solution of this question? The first thing is that we should decide what is our real object. I think the greater part of the House are agreed that if we could have closer commercial relations with our colonies it would be desirable. I think that even the right hon. Gentleman the Member for Leeds would be glad that we should have closer commercial relations with the colonies. But do not let us ignore the tremendous difficulties, or encourage the colonies to believe that we can achieve impossibilities, or ask this country either to tax raw materials or take any steps which will substantially raise the price of living to the people.

*(11.39.) MR. S. WILLIAMSON (Kilmarnock, &c.): This Motion, on the face of it, looks a somewhat harmless one; but I am inclined to think that it is not so harmless as it looks, and I sincerely hope the House will not give it much sympathy. It seems to me that the right hon. Gentleman the Chancellor of the Exchequer has gone quite far enough; but I should like to add a word or two to the forcible arguments against the Motion which have been brought before the notice of the House. We are asked to invite the self-governing colonies to confer with the Imperial Government upon the best means of developing the trade of the Empire. There are two doctrines in this country on the subject of the best means of developing the trade of the Empire. There is the party—who overwhelmingly preponderate amongst our mercantile classes—who believe that the best means of developing trade is by an unrestricted interchange of commodities—in fact, by Free Trade. On the other hand, there are the Protectionists, represented by the right hon. Gentleman the Member for the Isle of Thanet—the party who speak about "the

clap-trap of the cheap loaf." I would give one example of what that clap-trap means. It means that in France, with an Import Duty upon wheat, the artizan with a wife, and, say, four children on an average spends £4 10s. per annum, or 2s. per week, more upon flour than the artizan spends in England. To talk, then, of the clap-trap of the cheap loaf is simply monstrous, and I sincerely hope that that style of argument will not be indulged in. Why should we invite colonists to come here and confer with us as to the best means of developing trade? We set them already the best example by admitting all goods free. They, on the other hand, impose on our manufactures very onerous duties. Duties are levied either for the protection of native industries or for revenue purposes. Are we to dictate to other countries the mode of taxation they are to adopt? Are we to say, "You shall depart from your indirect mode of taxation and adopt a direct mode—an Income Tax or something of that kind, though it may be wholly unsuited to you." Let me present to you two examples: Victoria sends wheat, wool, and meat to this country, and the Argentine Republic sends wheat and meat. The Argentine Republic imposes duties on our manufactures for revenue purposes only, but Victoria imposes duties upon us largely for the purpose of protecting her own industries. Therefore she is much the greater sinner of the two. Are we, then, to adopt the measures proposed in favour of a colony which treats us in this way? If we do, what would be the result? Why the Argentine Republic, whose products were taxed by us, would retaliate by raising the duties on our goods or putting an Export Duty on goods sent to us. It is impossible that we can deal with the colonies in the way indicated. It would necessitate the breaking of our engagements with foreign countries who have given us the most favoured nation clause in our Commercial Treaties. The whole policy indicated in the Resolution is utterly unsuitable to this country as a large manufacturing nation, largely dependent upon foreign countries for its food supplies.

(11.48.) MR. COOKE (Newington, W.): I hope the hon. Member for Sheffield will withdraw his Resolution. I should like to vote for a closer union with the colonies, but not at the cost of having to adopt a system of Fair Trade. Who brings this Motion forward? The hon. Member for Sheffield, the hero of the celebrated Conference held at Oxford, where he submitted a resolution in favour of Fair Trade, and got only one supporter. The Conference met again at Wolverhampton, and the hon. Member brought forward his Resolution once more, but he did not dare to put it. The previous question was carried against him.

*MR. HOWARD VINCENT: No, no.

MR. COOKE: At all events, something happened which the hon. Member very much disliked. That not satisfying the hon. Gentleman, he became Chairman of the Land and Labour League, which advocated the principles of Protection. Members of that League came down into the county in which I live, and, in one town, finding me in the street, they asked me to take the chair at a meeting. I did so, although I told them I was opposed to every proposition that was likely to be brought forward. They held meetings of a similar character throughout the county, and I was not surprised, not long after, to receive from the secretary an application for a subscription to help to defray a debt of £20 they were unable to pay. Having, I hope, established the proposition that this Motion comes from a truly Protectionist source, I must congratulate the House on the altered tone in which Protectionists are now being addressed by Free Traders. To a great extent the cry for Protection is to be attributed to the tone in which the Free Traders are in the habit of addressing Protectionists. It would be better if instead of saying to them "Thou fool," we said, "Come, let us reason together." I am opposed to any proposition to re-impose Protective Duties, for Great Britain is an artificial country, which cannot live on its own resources. We are compelled to manufacture in order that we may live. We cannot supply ourselves either with sufficient raw materials for our manufactures or with enough food for our ever-increasing population. As to our trade with the colonies, it is very good now, and I doubt whether it would be any better under a system of Protection. The amount of trade we do with the colonies, and its character, was forcibly put before me the other day by a person who did me the honour of serving in my household very usefully for some years, and who went to the colonies two years ago. I asked her whether it was not a great change to go to Australia, and she said—"No, it was like being at home. If you went to the cupboard there was Colman's mustard and Cadbury's cocoa staring you in the face, and if that is not like being at home, what is?" I do not think the colonies are likely to take any more of our exports under a system of Protection. My hon. Friend was not, I think, quite fair in the quotation he made from a Cobden Club leaflet. I hope that the "forcible feebles" of the Cobden Club will be able to do a little better than shower pamphlets of this kind among people who do not want to be convinced. I get any number of them myself, but I do not think they circulate among the masses of the people. My hon. Friend, in citing the pamphlet, did not say he quoted from that part of it which referred to fiscal federation based on Free Trade. He omitted the sentence "In any other market we should then compete successfully with all Protectionist rivals," and led the House to conclude that the paragraph actually supported the system of Protective Duties. Now, Sir, is it likely that the colonies will reduce their Protective Duties for the sake of drawing closer the bond between them and the Mother Country? What do they impose Protective Duties for? In order to develop their resources. Our position is very different from theirs. Our mineral and other resources are already developed, and we are in full swing as a manufacturing country. The colonies have not yet developed their mineral resources, and the staunchest FreeTrader will admit that it is legitimate to impose Protective Duties in such cases in order to foster new industries. The colonies teem with mineral wealth, and they wish to become manufacturing countries in the course of time. Under these circumstances, it is, I think, hopeless to expect that the colonies, for the sake of drawing closer what is, after all, a somewhat sentimental bond, will so far neglect their material interests as to reduce their Protective Duties against the Mother Country. I do not wish to talk out the Motion, and I would appeal to my hon. Friend to withdraw it, so as not to put us in the invidious position of appearing to vote against that which we all wish to support—a close union between the Mother Country and the colonies—when we are really voting against the imposition of duties on goods imported into this country.

*(11.58.) MR. HOWARD VINCENT: After the sympathetic speech of my right hon. Friend the Chancellor of the Exchequer I beg leave to withdraw the Motion.

*MR. SPEAKER: Is it the pleasure of the House that the Motion be withdrawn? [*Cries of* "No!"]

Question again proposed.

The Previous Question, "That that Question be not now put,"—(*Mr. William Henry Smith*,)—put, and agreed to.

MOTIONS.

SAVINGS BANKS BILL.

On Motion of Mr. Chancellor of the Exchequer, Bill to amend the Law relating to Savings Banks, ordered to be brought in by Mr. Chancellor of the Exchequer and Mr. Jackson.

Bill presented, and read first time. [Bill 220.]

ASSESSMENT OF TAXES (REGULATION OF REMUNERATION) BILL.

On Motion of Mr. Jackson, Bill to Regulate the Remuneration payable to Clerks to Commissioners of Income Tax and Inhabited House Duties, and to Assessors thereof, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 221.]

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 118.)

Bill read a second time, and committed to a Select Committee of Seven Members, Four to be nominated by the House and Three by the Committee of Selection.

Ordered, That all Petitions against the Bill, presented three clear days before the meeting of the Committee, be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Mr. Brunner.*)

House adjourned at five minutes after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 18th February, 1891.

Mr. Speaker took the Chair shortly after 12 o'clock, and at 12.30, as 40 Members were not present, Mr. Johnston (Belfast, S.) moved that the House be counted. The House was accordingly counted; and 40 Members being found to be present, Mr. Speaker took the Chair at 12.33.

ORDERS OF THE DAY.

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT BILL.—(No. 2.)

SECOND READING.

Order for Second Reading read.

*(12.40.) Sir H. JAMES (Bury, Lancashire): I beg to move the Second Reading of the Factory and Workshops Act (Amendment Bill, which seeks to amend the Act of 1878. Before I call the attention of the House to the provisions of the Bill and the object for which these provisions are submitted it will, perhaps, be well that I should briefly explain how it is that I, who have no practical knowledge of factory operations, should have been entrusted with the charge of this measure. It happened that in 1889 I and other Members representing Lancashire and Yorkshire were requested to meet and consider certain propositions which the operatives employed in textile manufactures were desirous of submitting to us. We came to the conclusion that it was our duty to comply with the request in order to discover if there was any particular evil in existence which called for a remedy, and, if so, to endeavour to provide it. I was appointed Chairman of the Committee of Members who met on that occasion, and in that way the Steam Prevention Bill of 1889 drifted as it were into my hands. The Members who were associated with me joined with me in rendering the Bill non-contentious. We communicated with the employers. I take no credit to myself for the manner in which the Bill was framed. It is true that I had to draft it; but the credit for it is also due to my hon. Friend the Member for South Manchester (Sir H. Roscoe), whose great scientific knowledge was of the utmost importance, and also to the hon. Baronet the Member for North-West Manchester (Sir W. H. Houldsworth), whose practical knowledge as an employer of labour assisted us materially. That Bill came into operation in the course of time; but it was a Bill that had a limited operation only, and its application was of a limited character. It applies only to those works into which artificial humidity is introduced. In consequence of the success of the steps which were then taken in the spring of last year, the operatives again placed themselves in communication with the Representatives of the constituencies to which they belong. They desired a further amendment of the Act of 1878, and they had found from experience that the best way of securing the objects they had in view was to enter into no contentious struggle with their employers, but to endeavour to arrive at an amicable arrangement. Under these circumstances, the Members to whom they applied endeavoured to carry out their views and wishes. Communications were opened with the employers of labour in order to accomplish this object, and a Committee selected from Lancashire and Yorkshire Members united in a strenuous and earnest effort to procure an agreement between all those who are interested in the subject. We met upon four days in April last; there was a full and complete discussion between the representatives of the employers and employed, but on certain matters of crucial importance we found that no agreement could be arrived at. Under the circumstances, it was decided that there should be a delegation, and that persons who had a practical knowledge of the subject and of all its details should again meet and endeavour to arrive at an agreement. In July there was such meeting, but no agreement was arrived at. The operatives, finding that they could not introduce a Bill that would be non-contentious, at last decided

that they would bring in a Bill of their own. They applied to me to take charge of the measure. I represented to them my want of practical knowledge, but they refused my plea, and almost insisted I should consent to their wishes. Accordingly, I accepted the responsibility of introducing a Bill. A great deal has been said about my presumption in interfering in the matter, but I only reply that I am acting at the special request of those who are most deeply interested in the question. I have now to state, further, that when the operatives presented to me the heads of the Bill, feeling that I was not adequate to deal with the details, I suggested that a Committee of some 12 or 14 in number, many of them employers of labour, should be called together. A Conference was held, at which several Members of this House were present, and we discussed the details of the Bill, various objections being pointed out. I now come to the clauses of the Bill, and I respectfully invite hon. Members to follow me, although this is a Second Reading discussion. First, let me state the general provisions of the measure, and the directions in which they tend. The operatives are desirous that better provision should be made for the sanitary condition of the factories. I feel that that is an object which ought to be encouraged, and which every employer of labour is desirous of carrying out. The words sanitary arrangements include the subject of ventilation, which is of the utmost importance. The operatives also wish in the Bill to deal with the greater safety of the factory hands by affording them greater opportunities of escape from fire. The extent to which that shall be provided may be a matter for discussion, but the principle is one which, I presume, all are disposed to accept. In the next place, it is sought to secure greater protection from injury in consequence of the use of dangerous machinery. Then there is a claim on the part of the operatives that they should have an opportunity of testing the rate of payment for piece work, and there is a provision for a minimum fine in the event of an infringement of the Act, so that mere nominal fines shall not be imposed which will not meet the justice of the case. These are the principal objects the operatives have in view, and this Bill has been framed for the purpose of placing before the House the complaints they have to make against the existing system, and the remedies they wish to apply. There is every willingness to meet objections of a practical nature that may be founded on the possibility of injury to the employers' interest, and the operatives are prepared to make concessions, so as to secure that the measure shall not be taken out of the range of friendly discussion. The first clauses in the Bill relate to the sanitary condition of factories, and I think the House will regard them as reasonable. Upon Sub-section 3 of Clause 4 I believe that some contentious debate may possibly arise. As the present law stands, there is a provision that in every textile factory into which humidity is artificially introduced provision shall be made for the admission of 600 cubic feet of fresh air per hour for every person employed. Objection has been raised to the clause now proposed. It is said, in the first place, that 600 cubic feet of fresh air per hour cannot practically be introduced. I take exception to that statement, but I know it is said that in cold seasons the operatives do not require the introduction of such a large quantity of fresh air. I also agree that anything which interferes with the satisfactory carrying on of the work of a factory will be quite as detrimental to the interests of the operatives as of the employers. My hon. Friend the Member for Birmingham has made fun of admitting 600 cubic feet per hour of a Manchester fog into a factory, but I may explain that the reason why 600 cubic feet has been fixed upon is that that is the quantum provided in the case of steam factories by the Act of 1889. Still, the operatives are willing that the Inspectors shall lay down the limit, and, at any rate, the operatives of Lancashire have full confidence in Her Majesty's Factory Inspectors. All they desire is that, if increased duties are imposed on the Inspectors, there shall be an increased staff, and that they shall be men of practical knowledge, both in regard to the wants of the operatives and the interests of the employers. The operatives are quite willing to meet the objections of those who may pass a legitimate criticism upon the provisions of the Bill, and I am prepared to substitute for Sub-section 3 of Clause 4 a provision that it shall be the duty of the Inspector of Factories in each district to ascertain the state of ventilation in every room of a textile factory, and direct such arrangements to be made for the admission into such rooms of such quantity of air as may be sufficient to secure the health of the persons employed therein. Are there any employers of labour who can object to a provision of that kind? It is a simple proposal to leave the matter in the hands of the Factory Inspectors, and I think the concession made by the operatives is of a character that ought to bring any discussion upon this head to an end. The reason for the insertion of Clause 5 is, I think, apparent to every one. The duty of seeing that certain provisions of the Act of 1878 are carried out is cast upon the Sanitary Authority, which is composed of local gentlemen, many of whom, as a rule, are factory owners. What the operatives propose in Clause 5 is that where the Sanitary Authority is not sufficiently active the Factory Inspector shall have the power of representing the fact to the Local Government Board, in order that the Board may direct that proper provision shall be made for carrying out the Act. Clause 6 applies to the nature of the machinery that is to be more securely fenced, and Sub-section 5 provides that adequate provision shall be made for the escape of the operatives employed in a factory in the event of fire. It is proposed to amend the clause by making the Act apply only to rooms in communication with which there is not more than one staircase. Every building which provides more than one staircase would consequently be exempt from the operation of the clauses. A suggestion has been made that the clause should only apply to buildings erected after 1892, but I believe that a strenuous opposition will be offered by the operatives to that proposition. If the principle is right, surely we ought not to say that it shall not be applied to any existing structures. All that is asked is that, in the event of a fire in a factory, there shall be adequate means of escape for the operatives. Such a provision is enforced in the case of theatres, and I think it is not too much to ask that it shall also be applied to factories. I now come to Clause 7. It is a clause which does not take away any portion of the hours of labour, but it proposes to devote a greater period of time to the cleaning of the machinery. I am told that such a provision is not required in the worsted or woollen trade, but it certainly is required in the cotton trade and in other trades which require that the machinery shall be cleaned upon one day per week. In the case of cotton mills the cleaning takes place on a Saturday, but only half an hour is allowed, and it sometimes is done while the factory hands are at work and the machinery is in motion, the result of which is that accidents frequently occur. If that is not the system in the factories in which the woollen and worsted trade is carried on the clause need not apply. With that explanation and modification I hope the demand made by the Bill will not be deemed unreasonable. Clause 8 is comparatively an immaterial one, applying only to the question of holidays; and 9 is a clause confined simply to matters of procedure. Clause 10 is, I think, the only clause in the Bill which refers to factories generally as distinguished from textile factories, but I have heard of no objection in reference to it. Clause 11 is one which I believe is objectionable and obnoxious to several Members of this House, whose opinions are entitled to the greatest weight. I hope I may be allowed, in the first place, to say a few words in defence of the clause as it stands. It is said to have been introduced into the Bill in the interests of Trades Unionism, and that it is calculated to inflict great injury upon the commercial interests of the country. I may add that in regard to this clause I have been subjected to a great amount of personal abuse, not only for my ignorance, but for the bitter spirit of animosity with which I must be actuated. There is no foundation whatever for that statement, and I may remind the House that the matter dealt with by the clause has already been the subject of legislation. As far back as 1840 a Linen Manufactories Bill was passed by this House, and, although it only applied to Ireland, it was a Bill which was passed in compliance with the demands of those who were interested in the linen manufacture. Clause 16 of that Act provides that every warp given out by the manufacturer to a weaver shall be accompanied by a ticket signed by the manufacturer or his agent stating the length, breadth, and particular pattern of the work, the number of shots in a weft, the time at which the work is to be finished, and the price agreed upon for every yard of work, imperial standard measure, performed in a workmanlike manner. The fact that such an Act is in existence is, I think, an indication that Parliament has not been of opinion that such a provision ought to be scouted from its doors. I believe there have been numerous occasions in which the operatives have had cause to complain that the payment they have received has not been a correct payment. I ask, is there any other trade in the country in connection with which it would be permitted that the worker should not have the opportunity of knowing whether the payment made to him is a proper payment or not? It it a simple right that these men ask for. The argument against it is that every good employer does it already. But I am proposing to legislate not for good employers only, but for every employer. There is one hon. Member who has criticised the Bill with great intelligence —the hon. Member for Stalybridge. I take it he is one of the "good employer" class. I have had placed in my hand a little document, which reads—

> "Slashers No. 5; sorts 69, width 35, length 34, cuts 19, weft 35, pick 16½, web 30, &c. Materials given out. For Mr. T. H. Sidebottom, M.P."

Now I ask, can there be any objection to a system which is carried out already in the works of a model Member of this House? But the operatives ask for less than what my hon. Friend thinks it right and reasonable to give as a matter of justice to his own men. When I can appeal to the justice which is done the operatives by men not on my own side of the House only, I think I have made out the case on behalf of those classes. I have received a letter from a representative of the Galashiels Chamber of Commerce, who informs me that this

very clause now so much objected to is universally carried out in Scotland. There are Scotch Members in this House, and I venture to say that some representations have been made to them as to the justice or injustice of the clause, and I appeal to them to say whether what I have stated is true as to the practice in Scotland. The Scotch manufacturers, no doubt, are able to take care of their own interests, and their representatives will see that no injustice is done them. I hope I have proceeded step by step to show that this clause is not unreasonable if it is persisted in as it stands; but I will now state the concessions I am authorised to make on the subject. I am anxious to avoid using language which may be regarded as anything approaching clap-trap. When the operatives and those who represent them were informed that there were certain Members of the House who said that if all these particulars were given our manufacturers would be placed at the mercy of foreign competition, and of rival traders, they said, "That is not our object; the trade of the country is sufficiently handicapped already, and we have not the slightest wish to obtain any information which may place any employer in any worse position than he is in at the present moment." Let me remind the House, in the first place, that this clause does not apply, even in the case of the cotton trade, to all the departments of that manufacture. It says that

> "every person engaged as a weaver in the cotton, worsted, or woollen trade, or as a winder, warper, or reeler in the cotton trade who is paid by the piece"

shall have this information. It does not apply to the spinner or to the card-room hand. It is objected that this is rather a Cotton Operatives' Bill, and that the woollen and worsted trades will suffer if this information is given. But I only want to secure that operatives employed in textile works shall have sufficient information to enable them to ascertain what rate of wages is paid. The concession I shall be prepared to move in Committee is as follows:—That everyone of the persons included in the clause as employed in a textile factory—

"And paid by the piece for work done by him, shall have delivered to him with all such work particulars thereof sufficient to enable him to ascertain at what rate of wages he is entitled to be paid."

A proper authority can be chosen to see that the information given is sufficient. The provision I shall thus suggest will give the operative only the information every good employer now gives him, and the operative will get no information which will enable him to disclose any secret. I can only say that if this question had been approached in an amicable spirit it would have been found that this Amendment would have been earlier proposed, and I think no one will now say that it is an unjust clause. Very little remains for me to say in respect of other clauses. There are some as to minimum penalties which will, I think, be very acceptable, but they are not of sufficient importance for me to deal with them in this discussion. I venture to recommend the Second Reading of this measure and its future stages to the favourable consideration of the House. I am aware that the Government have introduced a Bill which I have only had an opportunity of considering for a few minutes, as it was not placed in the hands of Members until this morning, but it scarcely deals with the matters with which this Bill deals This Bill is only for textile factories; the Bill of the Home Secretary deals principally with workshops. There is a necessary Amendment which I have prepared and which I will put on the Paper to-day, namely, that the Act of 1878 is repealed only with respect to factories, not workshops. This Bill has been introduced for the purpose of stating what are the demands of the operatives in those matters which are important to them, and to which I now ask the attention of the Home Secretary and hon. Members. They will have to be dealt with sooner or later, and the Bill of the Government scarcely touches them. The fortune of the Ballot has been very good to me in giving me a selection of dates, and I think it will be a failure of duty on my part if I have secured a place I do not make use of the opportunity. I ask the favour of a Second Reading for the Bill now, and I will put its future stages down according to the opportunities offered me. I hope the House will meet these proposals in the spirit in which they are made. We know the conflicts now carried on between capital and labour. We hear accounts of existing conflicts and rumours of conflicts likely to arise in the future. I know no way in which we may hope to prevent those struggles except by showing ourselves ready to deal fairly with demands which are just and reasonable. I believe there will be a great aggravation of these struggles if Parliament closes its ears to such just demands. To refuse to consider such a Bill as this would be to throw these men into the hands of interested agitators, and the responsibility for the evils which might result would rest upon Parliament if we do not do our best. It is in the spirit I have indicated that I have endeavoured to place the demands of these operatives, many of them being constituents of my own, before the House, and I venture again to recommend to its favour this measure, the Second Reading of which I now beg to move.

Motion made, and Question proposed, "That this Bill be now read a second time."

(1.30.) MR. OLDROYD (Dewsbury): There will not be lacking ample opportunity for the discussion of the grievances to which the right hon. Gentleman the Member for Bury has just referred in his concluding remarks. We have not only the Bill which is now before the House, but also another Bill introduced by the hon. Member for Poplar, and also this morning we have one circulated by the Home Secretary, and I am only apprehensive lest in the multiplicity of the Bills introduced for this purpose the tendency of the House should be in the direction of getting mixed rather than having the subject simplified. I must say that the very temperate speech in which the right hon. Gentleman the Member for Bury introduced the measure has very much simplified my position, and, with a little concession, I have no doubt that the almost unanimous support of the House, and especially of those Members who are interested in the technical subject of textile manufactures, will be secured. I have personally been anxious to support this Bill, because I think I detect within its four corners important objects and very worthy ones. I think it aims at achieving several important regulations connected with the conduct of textile manufactures, and will be of essential importance and benefit both to employers and employed. With regard to the clauses bearing upon the sanitary question, I am sure that most hon. Members heartily concur, and so also with regard to the clauses respecting ventilation and escape during fire. With regard to the fencing of machinery, and also with regard to the clause last referred to by the introducer of the Bill—Clause 11—dealing with the subject of specifications of contracts and of prices. I am quite sure that, put as it is in a new form, the House will heartily approve of it. But, although the objects of the Bill are, in my judgment, worthy ones and good ones, I think that there are discernible in the Bill itself and the way it is drafted traces of that want of experience to which the right hon. Gentleman has duly referred. And, more than that, there are indications in the Bill that it has been drafted specially with reference to the cotton trade, because some of the clauses are particularly ill-adapted to the woollen and worsted manufactures. Moreover, I think in some respects too much importance is attached to the opinion and discretion of the Inspectors, and there is a little tendency to depose from authority and control the owners and occupiers of the factories. But, notwithstanding all the difficulties which naturally attach to a Bill of this sort, involving a large amount of technical detail, I shall feel disposed to give my support to the Second Reading, but I would suggest to the right hon. Gentleman the propriety, the expediency, and, in fact, the necessity of referring this Bill to a Select Committee rather than leaving it to be dealt with across the floor of the House. There are intricacies connected with our textile industries—intricacies that are daily increasing—which it is almost impossible to discuss across the floor of the House, and I think the right hon. Gentleman will take a step promotive of his measure if he consents to it being referred to a Select Committee, because then expert evidence can be brought before that Committee, who will be able to thoroughly digest and understand the points raised. As amended by that Committee the Bill would ultimately be presented to the House in a form not only acceptable to employers, but to employed. I will not detain the House more than a few minutes in referring to some of the clauses which the right hon. Gentleman himself has referred to, and from some of which he has removed very pertinent objections which had been raised already. With regard to Section 4, which deals with ventilation, I would point out that the injection of 600 cubic feet per head employed in each room would mean the removal by displacement of the whole of the atmosphere in some rooms once in eight hours. I believe that such is the case; but there are other cases where larger numbers of hands are employed, and where the 600 feet per head would necessitate the displacement of the total in a given room in one hour rather than in eight hours. It seems to me that in cases of this kind some modification would be necessary. It is very necessary that the atmosphere of such rooms be kept very steady, and, with such displacement, it would be impossible to maintain an equitable atmosphere. My experience now is that in most cases the maintenance of the temperature necessary in winter takes something like 10 or 15 per cent. of what is consumed in motive power; but, if this Bill were passed in its present form, I am quite sure that that would be raised to 20 or 25 per cent. I am sure we should have very general complaints from the workpeople themselves, whose health would be endangered by so constant a change of temperature. But the suggestion made by the right hon. Gentleman in his introduction of the Bill gives one the hope that some modification may be arrived at which will be acceptable to all parties. With regard to Section 6, I think there is very little objection indeed; but with regard to the fencing of hoists this is another case where it is impossible in any Act of Parliament to draw up a clause which will meet all cases. There are hoists and hoists. In some cases they are on the premises but in separate blocks of buildings, which are used only as warehouses—where only a few people have access — and it seems almost unnecessary, in fact absolutely unnecessary, that they should be protected. In cases where there is a large amount of traffic there might be danger, but these hoists are attended all day, both in ascent and descent by one man, who is responsible for its proper working. As regards the fencing of machinery, it seems to me that the terms of that clause are very broad. The owners and occupiers would be at the mercy of any nervous Inspector, it might be of an Inspector such as we heard of the other night, who had obtained a gold medal at a University, but who, in the matter of machinery, was ignorant and inexperienced, and who might fancy dangers where dangers do not exist. I am glad to find the right hon. Gentleman is willing to alter Subsection 5 of Clause 6, dealing with fire escapes. I know that there are sometimes what are commonly called fireproof mills where it seems that a second escape is entirely unnecessary, and in those cases the modification which the right hon. Gentleman has suggested is a reasonable one—that where two staircases are provided it is not necessary that further security should be taken. But there are in some mills a hoist and a staircase, and it seems to me that those two would perhaps be satisfactory for the purposes of security. With regard to Section 7, I think that even the modification which the right hon. Gentleman has suggested would scarcely meet the case. It seems to me that it would constitute the thin end of the wedge that would lead to an agitation for a reduction of the hours of labour. I am not one of those pessimists who think that such a reduction of the hours of labour in our textile factories would lead to the destruction of the industry ; but I do think that, in face of the competition that exists, it seems tempting Providence to reduce the hours of the existing Factory Acts. There are one or two sub-clauses in Section 7 which would also require attention in Committee. I see it is provided that where there is machinery in motion the presence of operatives shall be deemed as signifying that they are employed in that room. I speak within the knowledge of a large number of hon. Members when I say that employers find great difficulty in getting their *employés* to leave the premises at meal times, and, although some of us have provided dining-rooms, a great many of the operatives are averse to using them. They do not like dining in public, but prefer to do so privately. They do not like exposing what they have in the way of victuals to the scrutiny and criticism of those about them. It appears, also, that there must be a large number of premises in this country where the provision of rooms for purposes of refreshment would be a matter of very great difficulty. And now I come to Clause 11. The right hon. Gentleman has suggested a very important modification of the clause—a modification which I think will meet with the approval of the House—but I wish to point out that the alteration now suggested by the right hon. Gentleman was rejected by a majority of the operatives who met at the Westminster Palace Hotel. As drafted in the Bill Clause 11, although in many cases acted upon by manufacturers, is a provision which is impracticable. It is not possible to draft a clause which will meet every case, and so far as my own works are concerned, I may say that there are several matters connected with weaving, and which bear upon the amount to be paid for the work done by the weaver, which are altogether omitted from the clause. There is one department of weaving—namely, the blanket trade—which I find is conducted on entirely different principles. The operatives in that trade are paid by weight entirely, which shows how difficult it is to draw up a Bill, or even discuss it across the floor of this House, so as to meet every emergency. I am, however, very anxious that the object aimed at by Clause 11 should be secured, because I believe it necessary for the protection of the workmen against fraudulent and ill-disposed employers that this legislation should be enacted, not so much for the good employers as for those who are less scrupulous in their dealings. I believe Clause 11, if acted upon, would be one of the best clauses in the Bill, and would tend to the removal of what now constitutes a subject of considerable friction between employer and employed. But the clause as it ought to be drafted should imply that the workman should have a right to expect and receive from the employer with a batch of work such information as would lead him to know what remuneration he would receive for the work, but no further information which might tempt him to disclose particulars to unscrupulous competitors. I shall be happy after the modifications announced to vote for the Second Reading of the Bill; but I hope it will be sent to a Select Committee, it may be in conjunction with the measure of the Home Secretary. Evidence can then be given both on the part of the employer and employed, so that we may be prevented from passing legislation which may hamper or harass industries which are of such great importance to the prosperity of the country.

(1.50.) SIR W. HOULDSWORTH (Manchester, N.W.): I confess, Sir, it appears to me that the objections that have been taken against this Bill, even it its original form, are not at all justified by its provisions. I am quite sure that those of us who are supporting the Bill cannot complain of any criticism that may be offered, but I do think that the objections that have been taken against the Bill, even in its original form, are not at all justified, and have been founded on some misunderstanding, and the practical working of the measure in some instances has not been understood, even by practical men. I am very glad to find that there is likely to be a consensus of opinion with regard to the main provisions of the Bill, and that no serious opposition is to be offered, but I cannot help thinking that although the employers may, in the first instance, have looked upon the Bill as to some extent hostile to their interest, it will really be a protection to the good employers, who at the present time are voluntarily expending considerable amounts of money in the erection of mills and in various improvements for the benefit of their workpeople. It will do a great deal to protect employers who are handicapped by others who are not inclined voluntarily to do the same for their workpeople. Not only will the workpeople be benefited as they ought to be, but the Bill will prevent those who voluntarily give these conditions to the workpeople from being handicapped by competitors who are less scrupulous in the matter. The outcry which has been raised against Clause 4—the Ventilation Clause—has very much astonished me. The clause deals with the 600 cubic feet of fresh air to be admitted, which the right hon. Gentleman the Member for Bury has stated is the quantity of air provided in the Cotton Cloth Factories Bill passed a few years ago. Well, if there is one class of workroom in which it has been contended that the admission of a large quantity of cold air in certain conditions of the outside atmosphere will be prejudicial to the work, it is in those very factories as to which Parliament has already legislated, and has provided that that amount of air shall be admitted. After all, practical experience is probably the best guide. I notice that a member of the deputation who waited on the Home Secretary the other day objected very strongly to this ventilation, whilst, as a matter of fact, the quantity of air this gentleman admits throughout his factories is considerably greater than that provided by the Bill. I can also give an instance within my own knowledge where the quantity of air that is admitted into the factory is not less than 9,000 cubic feet per minute, which, under the Bill, would permit of 900 people being in these rooms. That is in an industry of very great delicacy, although I admit that it is not on all fours with the factories under this Bill, but it requires special conditions of temperature and moisture. I think there is some misunderstanding with regard to the mode in which it is proposed that air should be admitted, and I think there is a word in the clause which might well be altered if the Bill is going to stand in its original shape. To my mind, "admission of air" is not the proper way to describe the process which I believe is the true one to adopt in order to secure good ventilation. It is really the exhaustion of air, because if we exhaust a large quantity of air from a place fresh air must find its way into the building, and there must be "admission" of it; but that is a different thing to supplying special openings. There is nothing like a process of absolutely compelling fresh air into a room; and, as a matter of fact, in the manufactory to which I have referred the fanners for exhausting air have been in operation for a considerable number of years, and there has been no complaint of them from the workpeople, who, on the contrary, have experienced very great advantage from them. There was a time when provision was made for the admission of air, and the workpeople objected very strongly and asked that the openings should be closed. They were closed, but the fanners were kept in operation, and the rooms remained well ventilated without the slightest inconvenience to the workpeople. I am glad to find that the argument of expense has not been used very seriously, because I have here a catalogue of mechanical instruments for providing for ventilation, and I find that even in a shed where there are 600 workpeople, the largest number employed in any workshed, for £16 a fanner can be placed there to take out 600 cubic feet of air a minute. With regard to Section 7, providing for an additional half hour for cleaning, I think the best course would be to withdraw the clause absolutely from the Bill. The practical effect of the clause would be to reduce the working time in the factories of this country by half an hour, and it is not in the interests either of employer or employed in this country that the hours of labour should be further reduced. At the Berlin Conference there was an attempt made to reduce the hours of labour throughout the countries of Europe to 66 per week as a minimum; but in this country the hours of labour are only 56 per week, because half an hour is devoted to cleaning, and I am quite sure that both the operatives on the one hand and those engaged in manufacturing trades on the other must feel that they cannot afford to be handicapped any further with regard to the hours in their competition with foreign countries. It seems as though the argument of the operative is that the cleaning is done now at other times, and that if this half hour is taken for cleaning on Saturday these other times will be devoted to work and not to cleaning but I doubt very much if that course would be taken. There are very few factories in the country where the half hour is at present devoted to cleaning at all. It is the custom in an immense number of factories, at the request of the workpeople themselves, that the doors should be opened immediately after the hour at which the engine stops, and as a general rule the workpeople devote part of their meal times to cleaning, and are ready to go out when the engine stops, so that the half hour is not used practically for cleaning purposes, and to increase that half hour to an hour would not mean more time devoted to cleaning, but an additional half hour of play instead of work. Every employer would be glad to give the operatives another half hour for play if he could do it consistently with his own interests and those of the workmen, but under present circumstances he cannot make the sacrifice. If any proposition of the kind is seriously contemplated, I believe it will have to assume an entirely different form, because there are stoppings during the week at present for cleaning purposes, and in many trades it is found to be more convenient to clean twice a week rather than to leave the cleaning to be done entirely at the end of the week. I strongly urge upon those in charge of the Bill that the simplest course would be to withdraw the clause altogether, as I believe it is a clause not desirable in the interests of the trade to pass. With regard to the particulars of work, that is a subject which will have to be very carefully considered. In the great majority of trades, and in those I know best, these particulars are given. The principle, I think, is thoroughly right that the workpeople should know as far as can be what are the wages they are being paid, so as to be able to calculate when put on new work the amount they should receive; and I think it quite right that those who defend the interests of the workpeople should be able from time to time to examine the various lists and data upon which the work is paid, in order to see that there is fair play between employers and employed. With regard to the minimum penalties, I think the right hon. Gentleman who introduced the Bill forgot to mention rather an important matter. As the clauses stand, they are of an excessively drastic character. It has been represented, and very fairly represented, that there are cases where an employer can be brought up for a contravention of the Act when it is not intentional or wilful on his part, and in fact in opposition not only to his regulations but his personal wishes, and in cases of first offence of that character large penalties should not be imposed. But the right hon. Gentleman forgets that there were clauses drafted and practically adopted at the Conference to which he has referred which would have met this difficulty. They would provide that on the first offence the minimum penalty should not come into play, but that it should be left to the discretion of the Magistrate, and that only when a second offence was committed within a period of two years after the first conviction should this high minimum penalty come into force. There is no doubt it is desirable that the law should be enforced, as it is a protection to good employers against bad ones. It is well known that there are employers—and especially Limited Companies, which being Corporations have no consciences—who persistently contravene the law, the fines, which are on a small scale, being paid freely ; and I have even heard of cases where those who were interested have actually sat upon the Bench to adjudicate—if not in their own, in their brother's cases—and that most insignificant fines have then been imposed for very grievous offences. If the minimum fines are guarded in the way I have mentioned, I think minimum penalties might very properly be inserted in the Bill. In my opinion, no exception can be made with regard to fire escapes in the case of fireproof mills. The danger is quite as great in fireproof mills as in non-fireproof mills. It is, indeed, a fact that the most disastrous fires take place in fireproof mills. But without arguing the question on that point, it should be remembered that the great difficulty in the way of people escaping in case of fire is not so much the flame as the smoke, and that difficulty might occur just as much in a fireproof mill as in a non-fireproof mill. Care should, therefore, be taken that there are sufficient exits. The clause should not be too drastic, so as to require useless new staircases to be made ; but there are many factories, especially old factories, which are complete traps—where in case of fire there is very little doubt there would be loss of life. In those cases the proposal of the Bill is a very fair and reasonable one. I hope the House will accept the Bill, especially with the considerable modifications which the right hon. Gentleman has indicated. The proposal has been made that the Bill should be referred to a Select Commitee. At one time I was inclined to think that would be the best course ; but the question has now been reduced to such small proportions, especially after the concessions which have been announced to-day, that I do not think a Select Committee is at all necessary. Of course, when we have an opportunity of looking into the Bill of the Government we may find there are certain points—although from a cursory glance at it I do not think there are—which might make us disposed to send this Bill to a Committee, but after what has taken place I think that would be an unnecessary waste of time. I hope there will be a conciliatory spirit on both sides, and I earnestly trust the House will read the Bill a second time. (2.15.)

*(2.32.) MR. CALEB WRIGHT (Lancashire, S.W., Leigh): I shall be very brief in my observations. I think I know a little of the spinning business as a practical spinner, having been in the trade nearly 70 years, 45 of them as an employer. I have always been in favour of all necessary means to promote the health of the workers ; but I must ask the House to hesitate before it make laws which are not likely to improve the trade, but may hamper employers. I object decidedly to the clause dealing with ventilation, though I admit it is essential that all workshops shall be properly ventilated. I think the ventilation of workshops has very much improved in the last 20 or 30 years. My impression is that if 600 cubic feet of air per head per hour were admitted into a mill the result would be great shrinkage in the fine spinning ; while in cold, and wet, and foggy

weather the breakage would be great, and the resulting work would be very imperfect. I was in favour of the Ten Hours Bill, and have been in favour of reducing the working hours since that Bill was passed. Before 1847 the hours of work were 72 per week, but now they are 56½, which is a reduction of 15½ per week. Although there has been that large reduction of hours the wages of the workers are very much better now, and the purchasing power of their wages is much increased, so that I say the working people in factories have been very much benefited by the Ten Hours Bill. But that is no reason why we should still further contract the hours of labour. We must remember we have keen competitors on the Continent and in other parts of the world, where working hours are very long and where wages are low; and if we in this country are to maintain our pre-eminence in the cotton manufacturing industry it must be by the workmen and the employers doing justice to one another, and avoiding any acts which may hamper the trade. I am very glad some of the clauses are to be modified, and I think the best possible solution of the whole matter would be for the present Bill and the Government Bill to be both submitted to a Select Committee.

*(2.41.) MR. BYRON REED (Bradford, E.): I can say of my own knowledge that no measure now before this House has caused more lively interest or deeper discussion outside the House, particularly in the great manufacturing districts of Lancashire and Yorkshire, than the present Bill. In my opinion, it is a wholesome sign of the times that such a measure as the one before the House should be thought worthy of attention. There are several Bills on the same subject as well as the Government Bill. Whether it will be found expedient to refer them all to a Select Committee I know not; but I would venture to urge on those who are responsible for them the necessity of separating questions of detail from the main principle which is involved in them all. It is not generally known that both parties interested in this legislation complain of the provisions of the present Bill. The employers, on the one hand, complain of the harsh and drastic character of the measure, while the operatives think it does not go far enough; and I think the duty of the House will be to hold the balance fairly between the conflicting opinions. On the part of the employers it is urged that in the present days of foreign competition and disputes between capital and labour the conditions under which the manufacturing industries of the country are carried on are already at a point of very severe tension, and that what is required is rather that they should be set free from special legislation than that they should be further hampered in that respect. In that spirit the Bradford Chamber of Commerce, at a special meeting convened on Monday last to consider the provisions of this Bill, passed a resolution to the effect that, while welcoming any reasonable provisions tending to the safety of the workpeople, the Chamber, having regard to the very objectionable nature of Sir Henry James's Bill, requested the local Members to oppose it, except on the condition that a Select Committee should considerably modify the objectionable clauses. I think that resolution might not have been passed if the Chamber had been aware that such a moderate and conciliatory tone would be taken by the right hon. Gentleman in proposing the Bill. The most objectionable clause to employers of labour in the Bradford District is Clause 11, and the proposals the right hon. Gentleman has suggested will no doubt considerably modify the opposition raised against it. It is impossible, in the course of a Debate like this, to do more than lay down certain principles on which legislation shall proceed, for anything like a discussion of the clauses in detail must of necessity be deferred until the Committee stage is reached, or the Bill is read a second time, or referred to a Select Committee. The employers—certainly those in the West Riding of Yorkshire—are, I am sure, anxious to promote the comfort, convenience, and sanitary wellbeing of their workpeople. I believe what are called bad employers are very rare. On the other hand, I must claim for the operatives a disposition to meet the employers fairly and honestly,

and to adopt in the negotiations with them a conciliatory and commonsense attitude. As an instance of the difficulty of dealing with this question in a Second Reading Debate, I may mention that Mr. H. B. Priestman, in supporting the resolution of the Bradford Chamber of Commerce, said that if there was one thing a Bradford spinner or weaver objected to more than another it was a draught; while, on the other hand, I have this morning received a letter from a workman urging me to do all in my power to pass the present Bill, stating that at the present time the thermometer in the shed where he is working is at 80 degrees, while in the summer it is sometimes at 105 degrees. He says that in the carding room there is no fresh air whatever, and adds—

> "We who work in it are like hothouse plants—poor and sickly looking—and cannot stand cold weather."

I think such testimony as this must be invaluable to the right hon. Gentleman in charge of the Bill, as showing that, with regard to the provisions for the better ventilation of these places, he has the earnest good wishes of a large body of working men. The whole question of factory inspection is involved in the Bill. The truth is that the condition of the Factory Inspection Department of the Home Office has been for a long time past in a most chaotic condition. I obtained a Return in 1887, from which it appeared that the number of Factory Inspectors was totally inadequate for the duties required of them; that each Inspector was enormously overburdened with the population to which he had to attend, and that the areas in which the Inspectors worked were unascertained, and were unascertainable, by the Home Office. There were at that date only 56 Inspectors and Sub-Inspectors for the whole of the country. In some cases the population amounted to upwards of 2,000,000. For instance, the Inspector in charge of the South Metropolitan District, including Kent, Surrey, and Sussex, had to look after a population of 2,905,000. The Dublin District Inspector had a population of 2,221,000 to deal with; the Glasgow Inspector a population of 2,690,000; and the Cork and Munster Inspector a population of nearly 2,500,000. The Return also showed that 37 of the Inspectors were unaware of the areas in which their work was supposed to be done.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): Nothing of the kind.

*MR. BYRON REED: I find it stated in the Return that in parts of Berks, Wilts, and Somerset the area, acreage, and population "cannot be ascertained." The same is the case with part of the Notts District, part of the North-East District, part of the North-West Division, part of Stirlingshire, and part of the Leicester Division.

MR. STUART WORTLEY: I do not quite know that this is material to the present Bill; but it is a serious matter as regards administrative efficiency, and I cannot allow the hon. Member's remarks to go uncontradicted. The Return does not profess to give the geographical area of the Inspectors' districts; because, as I told the hon. Member at the time, this could not be given, as the districts are not coterminous with the parish or other district boundaries. It was only because we had not had a special and expensive survey of our Inspectors' districts that we could not give it.

*MR. BYRON REED: I am obliged to my hon. Friend, but I note that he does not touch the grievance of the enormous amount of population confided to the care of one Inspector, and the consequent total inadequacy of the staff. I hope in the discussion this question will not be lost sight of, and that the Home Secretary will find it in his power to recommend to the House, as a result of the discussion, an adequate increase in the staff, rather of the sub-inspecting than of the chief inspecting class. For that purpose I would suggest that working men themselves might be advantageously employed in that capacity. Some time ago I took occasion to interview a number of representative working men in my own constituency in regard to this question of factory inspection. One of them said he had been a worker for 40 years, and that he had never for 30 years of that time seen an Inspector. Another, who had worked for 50 years, had seen an Inspector only once. Another, who had worked for 30 years, had not seen an Inspector for 20 years of that time. All of them were in agreement that the present system of inspection was merely an apology for inspection, and, indeed, from the facts stated in the Return to which I have referred, I do not see that anything else could be expected. It will be idle to pass this Bill unless concurrently you increase the number and define the areas of the Inspectors. I think that this side of the House, which has always been honourably identified with legislation for the benefit of the workers in mines, and mills, and factories throughout the Kingdom, will, by carrying into law during the present Session such a measure as this, assisted by whatever amount of experience it may command, add yet one more laurel to the wreath it may well be proud to wear, as crowning the honest hard work it has so well and worthily done for the toiling masses of the country, many of whom are so often unable to help themselves. I beg, therefore, to offer my general and sincere support to the Bill of the right hon. Gentleman, which I hope will be allowed to pass its Second Reading to-day without a Division. I trust also that in Committee, and upon the lines laid down by the right hon. Gentleman (Sir H. James) in the very temperate speech in which he introduced the measure, it may be so amended as to meet all reasonable objections, and that in the end a very practical piece of legislation will speedily be added to the long roll of similar measures that have been passed by the British Parliament.

*(3.3.) MR. J. A. BRIGHT (Birmingham, Central): It would have been a matter of great pain to me to have felt it necessary tooppose this measure, but as it stood when it was first printed I should have felt compelled to take that course. I am now, however, enabled to offer it a general support. The right hon. Gentleman alluded to me at the beginning of his speech; and I may here say that I am sorry that from a somewhat jocular remark I made when the deputation referred to was before the Home Secretary the right hon. Gentleman should have thought I treated the subject with anything like levity. Nevertheless, I think I succeeded in dispelling a little of the fog which obstructed the question of which we were then talking. The subject of ventilation was mentioned by the hon. Member who preceded me, and it was stated that it would take eight hours to change the amount of air in a room by means of the ventilation proposed. I calculate that in some parts of a factory it would be changed in less than an hour. The hon. Member for Manchester (Sir William Houldsworth) has alluded to the works with which he is connected, and has stated that more than this amount of air is there introduced already; but the works of the hon. Member are very different from those of many other manufacturers of textile fabrics. In most cases a very small number of persons are employed in the rooms of his factory, and it is easy to introduce 600 cubic feet of air per head per hour without making the air unduly moist or unduly dry. 600 cubic feet of air is not a very large amount, but it should be remembered that what is right at one time of the year and under one set of conditions, can hardly be right at another time of the year and under a different set of conditions. The appliances for admitting a certain amount of air should be supplied and kept in working order, but their application and the setting of them to work should be adapted to the circumstances. If the workpeople complain of the air being too close I am sure that every cotton spinner would willingly admit more; because if it were found that the admission of air stopped the progress of the manufacturing process no one would find it out sooner than the working people, and they would be the first to complain of the hindrance thereby caused to their work. From what the right hon. Gentleman the Member for Bury has proposed I gather that it would be left to the Inspector to judge whether the amount of air was sufficient or not, and I suppose the Inspector would be prompted to see to this by the representatives of the workpeople. It is much more likely that the master would be the first to complain of the ventilation than the workmen. According to my knowledge and experience, the workpeople are very slightly educated on the subject of

ventilation. They hardly ever open the windows of their houses, and when I have provided ventilators for them I have found that the very next day they have been stuffed with rags or brown paper. Clause No. 6 of this Bill, which relates to the fencing of machinery, is one of the clauses that has attracted my attention. It appears that under it the Inspector will have an arbitrary power to order the fencing of machinery as he may think fit. I think that that proposal is much too arbitrary. The Inspector is, generally speaking, a gentleman of great cultivation and knowledge, but he has not, at any rate when he commences his duties, much practical acquaintance with the things he has to inspect, and it might be that with the idea of increasing the safety of the workpeople he might order a guard to machinery which would practically prove a source of danger to them. I think that there ought to be means of arbitration in regard to these matters, and I am not quite sure whether it is provided in this Bill, and that someone well acquainted with all the facts and circumstances ought to be called in whenever any difficulty arises on these questions. Another point I desire to refer to is the extra half hour for cleaning. I find that the present difficulty is that of keeping the people in the factory when the cleaning hour arrives. They will do the cleaning at any time rather than during the cleaning hour. I should think it would be a great improvement if instead of stopping the engine half an hour sooner than at present the workpeople were allowed to remain in the factory half an hour longer if they care to do so. At present the engine stops at half past 12 on Saturdays, and the people are supposed to leave the mill at one, but if they were to let the people remain and if they liked to clean until half-past 1, the difficulty would be obviated. Another point on which I think the Bill requires amendment is this: during mill hours the owners of factories should not be compelled to turn out the workpeople in wet or inclement weather. Of course, at present if the people remain in factories to eat their dinners it is almost impossible when they have finished eating to prevent their doing little odd jobs to the machinery at which they have been working, such as tieing threads and attending to other such matters. If you were to compel the engines to stop during that time, as at present, and not compel us to turn the workmen out, I think it would be an improvement. I remember some years ago when the Inspector came into a factory I was connected with and found the people doing small things in the room during the dinner hour, he compelled the people to go out, and the consequence was that he was hooted out of the place. I think, therefore, that the arrangement I suggest is one that would be welcomed not only by the masters but also by the workpeople. I come now to Clause 11. I noticed that when the right hon. Gentleman (Sir H. James) was mentioning some Act that had been passed a great many years ago referring to the linen trade he said the information sought to be given by this Bill was given then; but I think he will find that in the case referred to the accounts of the warps are not given, which proves that it was not considered necessary that the people should know all the particulars here asked for. I maintain that it is not necessary to give them these particulars, and that if they know the length of the warp, the number of picks, and the fineness of the reed, that is all it is essential for them to know. I understand, however, that the right hon. Gentleman is prepared to modify this clause. The right hon. Gentleman has alluded to the Bill relating to steaming sheds, which is only a small part of the question. This Bill, in reality, deals with a great many trades besides the cotton trade, and I am rather surprised that before bringing it in my right hon. Friend did not consult the representatives of some of those trades, which are so different from the cotton trade. This Bill appears to have been brought on almost exclusively for the purpose of meeting the wants of the workers in the cotton trade. But there are a great many different sorts of textile trades. There are the silk trade, the carpet trade, and the lace, woollen, flax, and jute trades. These are all different and require different regulations. It appears to me it would be absolutely necessary, in order to arrive at any just conclusion in these matters, that the Bill should be considered by some sort of Committee. The questions of ventilation and cleaning and of the information to be given to the workers are all very different in the different trades; and, therefore, I trust the Bill may be submitted to a Committee which will take account of all these differences. Under these circumstances, I shall have pleasure in supporting the Bill of my right hon. Friend, though I must confess that as a manufacturer I naturally feel a little jealous of the multiplication of points it proposes upon which the Factory Inspector may come into collision with us. The hon. Member for Bradford (Mr. Byron Reed) spoke as if we who own the factories are a species of ogre always trying to extract more than we ought from the working people, and thereby necessitating the appointment of a vast horde of Inspectors to supervise our proceedings. I fancy, however, that the workpeople would not endorse this view. I think that as it is the Inspectors we already have perform their duties exceedingly well; at any rate, so far as the district in which I live is concerned, the Inspector is most attentive, and some of us have occasionally thought a little too attentive. I certainly should object to an enormous increase of Factory Inspectors, who could do no good, and would probably be led into collision with the working people quite as often as with the masters who employ them.

*(3.15.) MR. J. M. MACLEAN (Oldham): I think, Sir, that the conciliatory speech in which the right hon. Gentleman the Member for Bury introduced this Bill has gone a great way towards disarming opposition, and I do not suppose that there will now be any serious resistance to its passing the Second Reading stage. The right hon. Gentleman, in his introductory remarks, referred to certain criticisms that had been passed on his action in bringing forward this Bill. I do not suppose that any one of us is altogether exempt from criticism in regard to the course he has taken on this question; and, for my own part, I may say that I have been subject to a good deal of hostile criticism, because some time ago I took upon myself the responsibility of introducing an important deputation of employers to the right hon. Gentleman the Home Secretary, in order that their views on the matter might be made known. The right hon. Gentleman the Member for Bury made a pathetic appeal to this House to consider and do justice to the claims of the working man. Now, Sir, I do not think that in the present House of Commons there is the slightest fear that the interests of the working man are in danger; perhaps, on the contrary, the temptation to which we are exposed is that we should think the working men are the sole class in the community whose representations are to be considered at all, and that we should go down on our knees to the working men and accept implicitly everything they dictate, because they are to the employers as, perhaps, a thousand to one in the manufacturing constituencies we represent. I, however, introduced that deputation, because I considered that even employers in these days still have their rights, and that it is perfectly proper that they should represent their views to the Home Secretary on a Bill brought in, as the right hon. Gentleman himself has admitted, solely in the interests of the working men. The right hon. Gentleman has made most important concessions in view of the criticisms of that deputation, and I think that this Debate has been a very curious and instructive one, in this respect: no hon. Member has risen to support this Bill in its entirety. On the contrary, it has been so much whittled away by the concessions that have been made, not only by the concessions made by the right hon. Gentleman himself, but by the remarkable concessions of the hon. Baronet the Member for Manchester, who actually proposed that one of the most important clauses of the Bill should be struck out altogether, and said the Bill had been drawn in much too drastic a form, that I do not consider it a matter of great importance whether after the Bill has passed its Second Reading it is sent before a Committee or not. It seems to me that by the time this Debate is over very little of the Bill will be left, and that what is likely to happen will be in the nature of that unfinished Resolution, which was before the House the other night, and of which only the fragment of a sentence now remains. With regard to the character of this Bill,

it has been spoken of as if the grievances with which it deals are of a very similar character to those which first induced the House of Commons to interfere with the regulation of the hours of labour in factories. But I would point out that we are no longer called upon, in Lancashire at all events, to rescue working men from the slavery of hard taskmasters. There is no sweating there, and no oppression on the part of employers of labour. On the contrary, as a rule a very kindly feeling prevails, and the employers and workmen recognise that they have interests in common, and that in any discussion which may take place between them it is essential that a mutual understanding should be arrived at; because if by further legislation anything like injury is inflicted on either employer or employed, that legislation will either become a dead letter or it will damage the prosperity of the trade in which both classes are so vitally concerned. At the present time the condition of the working men in Lancashire is as good as in any other part of the world, and perhaps better; they have good wages, their hours of labour are easy, and the mills in which they work are, as a rule, very comfortable. A good deal has been said as to the Ventilation Clause in the Bill, and my hon. Friend the Member for Bradford (Mr. Byron Reed) is seriously alarmed lest there should not be enough Inspectors appointed to meet the wishes of the working classes. For my part, I am quite sure that he need be under no such apprehensions, for, if the Bill is passed, as at present proposed, it would be necessary greatly to increase the staff of Factory Inspectors. In fact, I think that regulations of this kind, which are for the most part vexatious and unnecessary, could only be carried out by having a Factory Inspector to watch over the fortunes of each particular mill. I have myself been in many mills where the air is much sweeter than that which we are often compelled to breathe in the House of Commons, and very much better than that breathed by thousands of bank clerks and others in London who go to the City by the Underground Railway, and work below the level of the street with gas burning all day. We ought to consider whether we have not gone as far as we are justified in going in interfering with matters of this kind. I must say that I applaud the prudence exhibited by the right hon. Gentleman the Member for Bury in altering Clause 4, so as to provide that only as much fresh air is to be admitted as will secure the health of the operatives, although that is a rather vague phrase, but at the same time it is one which we are all willing to accept. The hon. Member who last spoke has told us that it is the operatives who are opposed to obtaining as much fresh air as is needed for the ventilation of the mills. Many of us have probably had the experience derived from going into new houses here in London where the most scientific ventilation is adopted, and have seen that in a very short time the inmates have been very glad to block up these scientific ventilators. That is very much the same view as is taken by the operatives themselves. When the deputation was before the Home Secretary the right hon. Gentleman, with his usual shrewdness, asked whether if the ventilators were blocked up the operatives or the employers would have to pay the fine?

Mr. J. M. Maclean

SIR HENRY JAMES: The question that was put to the deputation was whether if the window was closed it was the operatives and not the master who would have to pay?

*MR. MACLEAN: At any rate, we should be very glad to know who would have to pay. With regard to Clause 11, which introduces an entirely new feature into our factory legislation, I desire to say a few words. Hitherto factory legislation has been mainly directed to the protection of young women and children upon sanitary grounds; but this is a clause which is to protect all workpeople employed in the mills not on sanitary grounds, but because it is said that if they do not have the information which is to be given under this section they will be liable to be defrauded by unjust employers. I think that every one in this House will agree to the modification the right hon. Gentleman proposes to make in this clause. He has told us he only desires that sufficient information should be given to the workpeople to enable them to know whether they are being paid fairly. For my part, I doubt whether it will be of any advantage to the workpeople to have a clause of this kind inserted in the Bill. It seems to me that it would be necessary to define very clearly in the Bill what information is to be given to the working man when he has a piece of work given out to him, because otherwise there might be any number of disputes. With regard to the clause which proposes to shorten by half an hour the period during which work is done in English mills, my hon. Friend the Member for Manchester has in a very pleasant frame of mind proposed that this clause be struck out altogether. I was glad to hear this suggestion from him, because to my mind this is the most important clause in the whole Bill. The representatives of the working men are, as a rule, moderate and able men, but, like everybody else, they are liable to make mistakes, and in the present instance they appear to me not to have fully realised—not considered what the effect of such a change would be. The fact is that at the present moment the hours of labour in this country are very much less than in foreign countries; and one of the employers of labour who waited on the Home Secretary the other day has made an important statement on this head, to the effect that so much of the machinery used now is automatic, that with 66 hours' work a German artisan can turn out as much as an English artisan in his 56 hours of work, in spite of the greater skill of the latter. If that is the case, it would be very dangerous to reduce by even half an hour the time devoted to work in mills in this country. Our people now can only keep a few strides in advance of their foreign competitors. I have recently been told by an Anglo-Indian who had a great deal to do with starting mills in India, and made a great deal of money out of them, that nothing would delight him more than the passing of an Eight Hours Bill for the textile trades, because, were such a Bill passed, they would at once be able to double the number of mills in India. That fact ought to be known to the leaders of the working men, and is, I believe; for the very men who have drafted this Bill refused, much to their credit, at the Trades Union Congress in Liverpool, to accept an Eight Hours Bill for the factory operatives of Lancashire. In the existing state of things, we cannot afford to reduce by even half an hour in the week the amount of time given to work in the mills of Lancashire. If changes of that kind are introduced, our trade will succumb to foreign competition, and then our working men will regret having made unnecessary demands. It was my intention to propose that the Bill before the House should be referred to a Select Committee, together with the Ministerial measure which has been circulated this morning; but after the discussion that has taken place, it appears to me that there is so little of the Bill left that it does not matter much what course is taken with respect to it. Such provisions of the Bill as are unobjectionable might be incorporated in the Ministerial measure; and if the Home Secretary could see his way to following that course, we might have a measure which would give satisfaction to both employers and employed, and not leave ill feeling rankling in the minds of any one.

*(3.33.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I think the House is to be congratulated upon the tone of the discussion, for it has been not only eminently practical, but temperate and conciliatory as well. In one respect it has hardly been a Second Reading Debate, because it has not been possible to discuss this measure without entering largely into details. In fact, it is difficult to know what principle there is to discuss, except this—that, by general consent, some amendment of the Factory Acts is requisite in the interests of the health and safety of workmen, and also possibly for the purpose of preventing any irregularity—I use a mild word —in the payment of their wages. The first point which I will consider is the subject of ventilation. I suppose we shall all agree that there are many factories in which the ventilation is not satisfactory. Sometimes the defect is remediable, but in many cases I believe that a complete remedy cannot be hoped

for, the conditions of the work being such that an even temperature cannot possibly be maintained. It is well, therefore, not to attempt to lay down a hard and fast rule to fit all circumstances. The right hon. Gentleman the Member for Bury has done wisely in proposing that the clause in the Bill shall be altered, and that the requirements shall be that the ventilation of every factory shall be sufficient for the health and safety of the operatives, as far as the nature of the process in which they are engaged permits. But when the right hon. Gentleman proposes that the ultimate judge of the sufficiency of the ventilation shall be the Inspector, I part company from him. The Inspectors are fair men, and, to a great extent, impartial men; but they are, at the same time, the champions of the workmen and the guardians of their interests. Their natural function is to protect the workmen, and to insist upon the law being observed for their benefit. Almost every Inspector appointed since I have been at the Home Office has been a working man himself, and many of them are not men of great scientific attainments. Consequently, they would hardly be competent to point out to an employer what would be the best system of ventilation to adopt in a large factory. For these reasons, I cannot accept the suggestion that the Inspector should be the final judge of the means of ventilation. That he should suggest means in the first instance would be right and proper; but there ought to be another tribunal to appeal to in the last resort, and in the Ministerial measure the machinery of arbitration has been adopted. Under the Coal Mines Act arbitration has been found to work satisfactorily as between employer and employed, and it is only rarely that it becomes necessary to have recourse to it. In nine cases out of ten an adjustment of the question at issue is arrived at amicably beforehand. The next point for consideration relates to the means of escaping from fire. I agree with the right hon. Member for Bury that the operation of a provision for that purpose cannot be confined to future buildings; but I think that there should be some difference between our treatment of existing buildings and our treatment of future buildings. In the case of future buildings, it would be fair to insist upon two exits, but that would be too rigid a condition to impose in the case of every existing factory, for many small factories are so built that to compel the construction of a new staircase would be tantamount to closing them. As the Bill stands, it insists on a separate staircase for every room in a factory.

Sir HENRY JAMES: No; that is not the effect of the clause.

*Mr. MATTHEWS: The proposal is too rigid as applied to every existing factory, and some other mode of meeting the difficulty should be devised. I now come to the subject of minimum penalties, and I must point out that the system of minimum penalties is a retrograde system. The House has abolished those penalties deliberately in the case of the last Summary Jurisdiction Act that it passed. Certainly, I am not enamoured of the system of minimum penalties; but I am obliged to admit that cases have been brought to my notice in which the penalties imposed for breaches of the Factory Acts have undoubtedly been inadequate, with the result that justifiable dissatisfaction has been caused in the minds of working men, who are apt to attribute to the circumstance that the tribunal is more in sympathy with the class of employers than with themselves, the fact of the imposition of inadequate penalties. The conclusion which I have come to is that, in cases where a breach of the Factory Acts results in profit to the employer, so that he would gain if he paid only a small penalty, minimum penalties might well be imposed; but that in cases where no profit can result to the employer from an infraction of the Acts, it would not be wise to apply this system of minimum penalties, which in principle is objectionable. The next point is very controversial, namely, the extra half hour a week for cleaning. From the inquiries which I have made, I think that half an hour for cleaning is sufficient in the bulk of the trades which we have in view. That applies to the silk trade, the woollen trade, and the worsted trade. It may be that in cotton factories half an hour is not sufficient, or only barely sufficient. I confess I am strongly opposed to cutting down the limited number of hours operatives now have to work in the face of the daily growing competition which we have to contend against on the part of foreign manufacturers. It would be greatly to be regretted if half an hour were to be cut off from the working hours of Saturday. Perhaps it would be enough to say that on Saturday, as now, every manufacturing process should stop at 1 o'clock, and I believe the result would be that in most cases the cleaning would be done in half an hour, and, if not, some children or young men might stay to finish it as quickly as they could. The next debateable subject is the one with regard to particulars of work. The Member for Dewsbury correctly interprets the Act of 1840, when he states that the ticket given in the Irish linen trade under that Act was a ticket given to the advantage of the employer, and it furnished conclusive evidence against the *employé* of the quantity of work which was mentioned in the ticket, he getting the benefit of that in order to recover penalties for the proper amount of the work. I think it is to some extent a novel provision in Clause 11 of the present Bill, but I am by no means prepared to say it is for that reason a wrong provision. I listened with the greatest attention to the deputation of masters and of workmen who did me the honour to come to me and inform me on that subject last week. The conclusion I came to after listening most patiently to all they had to say was this—that the real grievance of the operatives is that the particulars are in some cases untruly stated. I can hardly imagine a state of things in which a workman does not hear truly or untruly the particulars on which the payment of his wages for his work is founded, for he could not go on if the particulars were not stated in some way, but the grievance is that the particulars are untruly stated. Everyone will agree with me that to state untruly the particulars is as mean and shabby a fraud as could be; in my opinion, it would be a good ground for civil action; and although at present I believe it could not be brought under the Criminal Law, I would not dissent from the suggestion that so shabby an act should be made punishable summarily by Act of Parliament. If any one untruly states the particulars he might well be subjected to a fine. But I would submit to my right hon. Friend and to other hon. Members that to have the particulars defined in the clause is impracticable, the difference between trade and trade, and between the conditions under which work is done in different places, such as Bradford and Oldham, being considerable. If a dispute should arise as to whether the ticket does contain the necessary particulars, some tribunal ought to be devised for sifting the matter, and deciding between employer and employed. Such a method of arbitration has been found to work well in other industries. It follows from what I have said that I am not prepared to adopt the whole Bill. I do not suggest to my right hon. Friend what course to pursue. It is entirely for my right hon. Friend to say what he will do in the interest of those whom he represents. There is a Bill of my own before the House which I intend to press, and I hope before Easter to get it read a second time, and then to refer it to the Standing Committee on Trade. I believe to refer any of those Bills to a Select Committee means the sacrifice of the Bills for this year, so many details and difficulties would crop up. If the House will content itself with setting forth in the Bill the general principles upon which we ought to proceed it will be much more satisfactory. That was done in the case of mines. The ventilation of a mine is much more difficult than the ventilation of a factory, and yet by means of special rules which have been drawn up the satisfactory ventilation of mines has been worked out without coming to Parliament on every occasion. I do not see why factory legislation should not follow the same lines. Perhaps I might be allowed to suggest to my right hon. Friend that the best way for him to proceed would be to present the clauses to which he attaches importance as Amendments and additions to the Government Bill before the Standing Committee, and if my right hon. Friend will accept the suggestion I will meet him in no unsympathetic spirit. Upon the half hour question I cannot promise any concession; but with regard to the particulars of work, I shall be quite ready to co-operate with my right hon. Friend in framing a satisfactory clause which will secure what my right hon. Friend desires. I really believe, in the interest of those he represents, that the right hon. Gentleman by adopting the course I have suggested to him would carry all the essential objects he has in view much more speedily than if he perseveres with his own Bill, or takes it to a Select Committee.

(3.57.) MR. ILLINGWORTH (Bradford, W.): I think that the operatives who are seeking to promote legislation in this matter are very much indebted to the right hon. Gentleman the Home Secretary for the painstaking care with which he has examined every one of the proposals of this Bill. I am disposed also to thank the right hon. Gentleman the Member for Bury for the modifications he has so promptly and candidly announced, for I think the result will be to do away with any disposition on the part of the House to oppose the Second Reading. Indeed, I take it that that stage will now be formally agreed to. The subsequent procedure upon the Bill has been indicated by the Home Secretary. I agree that there would be great danger in referring it to a Select Committee, and I am in favour of referring it to a Standing Committee, so that legislation may take place as speedily as possible. With regard to the drafting of the Bill, I must say it is evidently intended for the cotton trade, as its main provisions would be inapplicable to other trades. As to the question of ventilation, upon which the right hon. Gentleman the Member for Bury has made a very satisfactory concession, I must say that the great majority of the employers of this country desire to study the well-being of their workpeople in these matters. The conditions under which the work is necessarily carried on do not admit of such rapid changes of air as some might desire. The House must never forget, in dealing with these matters, that they affect an industry upon which the prosperity of the country depends, and that the masters have already much difficulty in maintaining their position against foreign competitors. For this House to do anything that would injure the employers in conducting their business with the only instruments they can use would be cruel; and would prove ruinous to the interest of the masters. I believe there is scarcely one case in a hundred where the employer, when met by the workmen on the ground of some defect or want of provision, has not promptly met the wishes of his workpeople, and that without legislation. As to the question of cleaning, it is the employer who suffers if the machinery is not thoroughly cleaned; and it is, therefore, to the employer's interest to make such regulations in his factory as to ensure, within the hour permitted for that work on Saturday, that the machinery shall be cleaned. For this House to determine by some arbitrary rule that machinery shall be stopped would, in my judgment, be a very foolish and short-sighted policy altogether. English manufacturers are now so pressed by foreign competitors, who have so many advantages in their favour, that England really cannot afford capriciously and unnecessarily to interfere further with the hours of labour. The workpeople of this country are enlightened and sagacious enough to realise that if these industries are not prosperous their own prosperity will come to an end; and if any action of this House were to impose new and severe conditions on employers, factories might have to be closed, and this would prove most injurious to the working classes of this country. The spirit that is manifested by both workpeople and employers shows the immense advance that has been made in these matters, and it is a subject of congratulation that there should be this happy understanding between employers and employed. As time goes on we all desire that the condition of the working classes will be continually improved, and that they will have higher wages. This, however, is a slow process, which will not be accomplished by legislation, but by the growing intelligence and improved understanding between employer and employed. I think that this House will be wise in doing as little as possible to meddle with the industries of the country, leaving the improved good sense and increased power of the workmen to bring about any change that may be necessary.

(4.8.) MR. ADDISON (Ashton-under-Lyne): I think a more interesting and temperate discussion has seldom occurred in the House of Commons, and I merely rise to direct the attention of the Home Secretary to a request which has often been made to me by some of my constituents. I have had occasion very often to speak to the leaders of the operatives—both spinners and weavers—and they nearly unanimously represent to me the importance of urging the Home Secretary to increase the number of Factory Inspectors. They further desire me to urge on the right hon. Gentleman the desirability of the Factory Inspectors being taken from the class of men who have a practical knowledge of the work. I was extremely pleased to hear that the right hon. Gentleman has been pursuing that policy for some time past, and that he looks upon the Inspectors more or less as the champions of the workmen. In Lancashire there will be no difficulty in finding workmen of the greatest intelligence, moderation, and ability to undertake the discharge of the duties of Inspectors, not only to the satisfaction of the employer but of the employed, and I hope the Home Secretary will take into his consideration the appointment of a large additional number of Inspectors. During the last quarter of a century I have been much impressed with the desire which the spinners and weavers of Lancashire have always shown to consider the interests of their employers. Now, I have to-day received the Bill of the Home Secretary, and I find it is almost impossible to dissociate that Bill from the Bill before the House. There are some matters which the Home Secretary has dealt with, such as that of certifying surgeons, in which my constituents feel a strong interest, and I congratulate the right hon. Gentleman on having dealt with them in this 19th century. We cannot discuss the Government Bill now, although after reading it I must compliment the Home Secretary upon a Bill which is more admirably and clearly drawn than any Bill it has been my good fortune to read for a long time. I appeal to the right hon. Gentleman to press forward the Government Bill, and to give the House a pledge that this matter shall be dealt with during the present Session. There is such an approach in principle between the clauses of the present Bill and the clauses of the Government Bill that it will probably be most convenient if they were considered in Committee at the same time.

(4.14.) MR. HOYLE (Lancashire, S.E., Heywood): I do not wish to take part in this Debate as an employer. It is true I am and have been for the greater portion of my life part owner of cotton factories. That has compelled me to acquire some knowledge of the matters dealt with by the Bill of the right hon. Member for Bury, but I hope that will not be regarded as an absolute disqualification for speaking on the measure. I am one of those who firmly hold that Thomas Sadler, Richard Oastler, Lord Shaftesbury, and John Fielden of Todmorden, in their devotion to the cause of humanity rendered imperishable service to the country, and I wish to approach the question of factory legislation in the spirit and on the principles which guided them, taking note of the changed and changing conditions of the problem to be dealt with. I wish to speak as the representative of more than 50,000 persons who have committed their interests to my keeping. When the trust passes out of my hands and when I am no longer a representative, I hope I may look my political friends and political foes in the face with full confidence that according to my lights I have tried to do my duty to every one of them. What was the condition of things when the reformers named entered on their work? At that time workhouses were being frequently swept of their juvenile inmates, and under the mild name of apprenticeship young children were subject to great hardship, not to say cruelties. Children grew up to manhood and womanhood with little or no education. The number of adults who could neither read or write was very large. Working people were badly housed, poorly clad, often under-fed, always overworked. It was to a large extent work and bed, week in and week out, and work, too, in factories ill-constructed and badly lighted, and in unsanitary buildings. There was discontent amongst the mass of the population which sometimes found vent in violent outbreaks. Less than 50 years ago riots broke out in Lancashire, and the industry of the whole county was forcibly suspended. For once Lancashire chimneys were smokeless. The streets of Manchester were held by night and by day by troops of the Line. In county villages the Military were called out and the Riot Act was read. These things I saw and heard myself. These were the facts which gave force and point to the eloquent appeals of Richard Oastler and his colleagues. No one will pretend there is anything analogous to that now. Children of tender age are no longer treated as if their only use is to earn money for those who dispose of their young lives. Now that the cost of education is to be borne by the nation we have a right to raise the age at which children shall be allowed to commence work. I should hail that as an invaluable boon. The evils so rife half a century ago either have passed or are passing away. Discontent has given way to happier conditions, the chasm between class and class has been narrowing, sympathy and sense of common brotherhood has grown up, boards of conciliation have been established to prevent estrangement between manual labour and mental labour, and Chambers of Commerce have taken council with members of Schools Boards, head masters of grammar schools, professors from the colleges, bishops, and clergy, to devise methods for bridging over the passage from school life to industrial life; and now youths may obtain certificates which will enable them to take high positions either in this country or in the colonies. Some who remember former days have been thinking they are living in a better era, and that the old bad days are gone like an evil dream never to return. Employers have learned much, and working men have not been behind their employers. It seems as if the ameliorating, the humanising, processes going on will certainly lead to as great an advance during the next quarter of a century in all that makes for the enjoyment of life as that which has taken place during the last quarter of a century. If that were not a mistaken hope why does the right hon. Member for Bury bring in this Bill? It is only 20 years since Mr. Forster's Education Act came into force. But what changes it has effected. The young people of 17 to 22 are better in every way than their predecessors of the same ages half a century ago. Crime has diminished, the prisons are on sale, and pauperism is steadily diminishing. Why does not the right hon. Member for Bury leave these beneficent forces to do their work? What is the genesis of this Bill? At a meeting held in December last to discuss the draft of this Bill, and presided over by the right hon. Member for Bury, a question was asked why the practical manufacturers were not present—had they not been invited? The answer was given by a gentleman who has the right to speak, for he largely helped to prepare the brief from which the clauses of the Bill were taken. He said they would not meet the masters any more.

Sir HENRY JAMES: The hon. Gentleman is entirely misinformed. The masters of Lancashire and Yorkshire were invited.

Mr. HOYLE: Why were they not there? It was said they did not want to meet the masters any more, and to make it quite clear what was meant the gentlemen said, "Sooner than have a Bill to which the masters would agree they would have no Bill at all." I challenge contradiction. [Sir Henry James: I never heard it.] The hon. Members for Preston and Bethnal Green will know whether it was said or not. One would have thought that a declaration like this would have given the right hon. Member for Bury warning, and led him to pause.

Sir HENRY JAMES: I never heard it; it is new to me.

Mr. HOYLE: I accept the right hon. Gentleman's denial, but I could not be mistaken, because I asked the question, and that was the answer I got. One would have thought the right hon. Gentleman would have said, "If the tension is such that the operatives will not meet the employers, I must meet them myself and hear what they have got to say. I will fairly weigh the evidence on both sides, and I will not give the authority of my name to a Bill based only on one-sided statements." When I saw this Bill it seemed to me that the right hon. Gentleman was inviting the House to enter upon an industrial war. I am very thankful for his speech to-day. It shows that the right hon. Gentleman has made great progress since December. He has abandoned a great part of the Bill which was so very offensive. There are some things to which I think attention should be called. One cannot say much about Section 4, because it is pretty well given up. But this I may say, the fibrous materials used are produced in hot climates, and are therefore specially susceptible to changes of temperature. A west or south-west wind is favourable, while an east wind takes the nature out of them. In an east wind both materials and tempers are brittle—less work is done and the work is inferior. This Bill takes no note of that. Alike at Christmas and at Midsummer Day, 600 feet of "fresh air" must be "admitted." If the machine gets out of order and only pumps 590 feet, the proprietor will be an offender. Clause 5 gives the Inspector power to flout the Sanitary Authority—an authority popularly elected and amenable to public opinion. Her Majesty's Government has given Local Government to the counties. This Bill proposes to supersede Local Government, and set up Centralised Autocratic Government in its place. That is a retrograde step. Clause 6 provides that if in the opinion of any of the persons employed in the factory a machine is not securely fenced, such person may give notice to the Inspector. By this clause the workpeople are expected to become spies on the employer. Of course, every workman can complain now. I am in favour of fencing and ventilation, but I object to the House of Commons taking the management of the business. Here, again, the Inspector is to be the authority. What sort of men may the Inspectors be? I will just read to the House a correspondence which recently took place. One of my constituents, employed in a factory, received a letter, of which I hold a copy. The letter was written on Government paper and was as follows:—

"113, Tweedale Street, Rochdale,
10.10.90.

Dear Sir,

I was away from home when your last letter came, but I suppose you know it has been attended to.

I am very much obliged for the information, and shall be glad at any time to receive further communications from you, and you may rest assured that if I do not seem to attend to them at once it is only because I am watching an opportunity, so that I may succeed when I do move.

I shall esteem it a great favour if you will take particular notice what time they start first thing in a morning during the next two weeks, and send me word next Saturday, and also the Saturday after.

I should like to know when they begin to light up in a morning. I have sent this in a plain envelope, as I thought it better than an official one, and you may depend on me treating any communication in strict confidence.

Please state the exact time they start each morning, so that I may judge what is the best day to visit.

Yours truly,
JAMES PEARSON."

The person to whom this letter was addressed returned it, stating that there had been some mistake. The Inspector replied—

"Rochdale,
16.10.90.

Sir,

I am extremely obliged to you for returning my letter, which was by mistake addressed to Bury instead of Oldham.

I am, &c.,
JAMES PEARSON."

Now, I am quite sure the right hon. Gentleman does not want to institute such a system of espionage as that. I hope that the system of inspection may cease to be defective, that it may become a useful intelligence department, to which both employers and employed may turn for information, and for mutual support and guidance in difficulties that may arise. Let me refer for a moment to Clause 11, which contains the matter that was chiefly in dispute on December 10th. It is totally impossible to comply with the requirements of that clause without playing into the hands of one's competitors. At the Home Office the other day a member of the deputation said he would give a thousand pounds any day to get such particulars as are contained in this clause from some of his competitors. I do not know that I would give that sum for the information or that I would attempt to get the information in that way, but this I will say, that there have been occasions in the course of business when I would not have taken a thousand pounds for such particulars as are herein described. Wherever there is a speciality in manufacture the fact of disclosing such particulars lays you open to the competition of your rivals in the trade. The productions of the loom are becoming more and more the work of science and art every day. Year by year looms are improved, and they are made to do almost anything. Wherever a loom is improved and adapted to the production of a special article the statement of these particulars would enable your rivals to compete with you, using all the advantage of your improvements. I object most strongly to such legislation, and I believe it is injurious to employers and employed. We should never forget we have industries in this country which employ large numbers of workpeople; the materials we use come to us from all parts of the world, and the greater part of the manufactures are exported. Legislation of this kind will ruin this trade.

*(4.33.) Mr. F. S. POWELL (Wigan): I may claim a hereditary interest in these matters, for I am a native of one of our large manufacturing towns, and my early recollections are of factories and their operatives. I confess when I look at this Factory Bill now before the House, I cannot but think we may congratulate ourselves upon the progress we have made in a short time. It is an act of presumption on the part of any man to make in Debate allusion to his own career, but I confess I cannot shut out the recollections of my childish days. I remember that the window of my room looked upon a large factory. When I retired to rest the factory children of my own age were still at work, and when I arose in the morning the same children

were working under the same conditions at their monotonous toil. Different indeed are the conditions of work for the operatives—men, women, and children, now. Legislation has progressed on parallel lines to public opinion, and whatever proposals are now made to the House of Commons for factory legislation can be but of a supplementary character—finishing touches to legislation which has been in operation with success for many years. In relation to this Bill introduced by the right hon. Gentleman the situation has greatly changed during the last 48 hours. The discussion of last week and the Debate of to-day have been of so conciliatory a character—so many concessions have been made, that I hope we shall hear no more of angry recriminations in the House or outside. In the interest of employers and workpeople I trust these controversies may be left to past history and may not prejudice that accord at which we all desire to arrive. I am glad to hear that it is the intention to leave out the clause excluding workshops from the operation of the Factory Acts. I should like to refer for a few moments to the provision of the Factory Act in relation to overcrowding. It was introduced in 1867 by a Select Committee, on which I had the honour to serve, and I know the great benefit that clause has produced. But at the same time it is impossible to read the Report of Factory Inspectors—impossible to read the Report of the Committee on "Sweating"—without feeling to what extent the evils of overcrowding still exist. Without unduly occupying time I may refer to the Report of Mr. Redgrave, made in 1887. He there says that the amount of space insisted upon where there was overtime was 400 cubic feet and the minimum amount in other cases 250 feet. Then Mr. Redgrave proceeds to give cases where there were only 134 cubic feet allowed for the unfortunate workpeople, and other cases where the largest allowance was 170 and 180 cubic feet. In a subsequent report Mr. Redgrave still speaks of the same evils in what he calls domestic workshops. He says—

> "Instead of large factories and workshops such as we have successfully contended for in many classes of industry we have these

domestic workshops dark, dirty, and overcrowded, and they cannot be improved by factory legislation as it now stands, because at the time of the passing of the Act of 1878, the present state of things was never contemplated."

Now, there is sufficient proof of the position I am endeavouring to maintain—that no Factory Legislation can be complete, no future enactment satisfactory, which does not greatly improve the condition of all employment as regards over-crowding. Passing on with my cursory observations let me touch upon the subject of ventilation. I cannot claim to have any large practical experience, but I have the privilege, with its duties and responsibilities, of owning a considerable number of houses in which workpeople dwell, and I know the great difficulty, almost the impossibility, of inducing workpeople to ventilate their own dwellings. As the result of my experience I can say that, though you give the people every opportunity, yet you find every window closed, every opening stopped. When we are dealing with ventilation in factories I am quite sure the right hon. Gentleman——

MR. A. J. MUNDELLA (Sheffield, Brightside): Not in workshops.

*MR. F. S. POWELL: I have passed from workshops, I am now dealing with ventilation in factories. I am quite sure the right hon. Gentleman has acted wisely in making this clause more general. I believe it is impossible to deal with this matter by specific directions in an Act of Parliament. The knowledge of one day is superseded by the science of the next; defects are remedied as experience widens from year to year, and I believe the best plan is to insert general words and leave discretion with a thorough system of inspection. As an Inspector has pointed out, you may apply the best theory of ventilation and yet find no effect in the room the atmosphere of which you desire to purify. It is a subject full of difficulty, and I am glad that we shall not be bound by rigid provisions in the Act, but that much will be left to the discretion and responsibility of those who administer the Statute. I was glad to hear the remarks of the hon. Member for Manchester, who spoke against the shortening of the time of labour by half an hour. It is impossible, I think, that Parliament can enforce in a manufacture of this kind a diminution of hours of work. That which took place before the Berlin Conference is common knowledge, and I need not refer to it, but I confess I was somewhat struck by the latest information placed at our disposal by the *Board of Trade Journal* distributed a few days ago. There is some reference to factory work abroad, and we find that 11 hours in Switzerland is not the full extent of the number of hours during which workpeople may be employed. There is in Switzerland a good deal of elasticity in the regulations, and it is stated on authority that the power of lengthening the working day is largely exercised, and that many licences are issued for work on Sundays and at night. I rejoice that here in England the hours have been curtailed; but I believe—having before us the facts which were disclosed at the Berlin Conference, and which are described in powerful language in this report cf the *Board of Trade Journal*—I believe we should be acting rashly if we were still more to impede the motion of our machinery or the discretion of our employers. In reference to Clause 11, I confess that from want of technical knowledge I am reluctant to make any remarks; but I cannot help feeling there is justice in the claim of a workman that he is entitled to know so much of the mysteries of his craft as will enable him to judge of the value of the labour he expends upon it. Nothing struck me more during the discussions of last week than the attitude of the workpeople on this subject. They all with one voice, and in a manner which has been ably represented by the right hon. Gentleman the Member for Bury, disclaimed any desire for the disclosure of trade secrets which might bring upon them dangerous foreign competition or prejudice the interests of one employer in competition with his neighbour. The position is now, I hope, clearly defined, and I hope we may be able to satisfy the claim of the worker that he shall know the nature of the work upon which he has expended his energies. It seems to me that the policy we have to adopt in factory legislation may be described in a very few words. We have to regard the safety of our people in our factories as we have done and are doing in our mines. We have to watch over the health of those employed, as we have through decades of years with a success eminently gratifying and encouraging. At the same time we have to protect the industries of this country against foreign competition, difficult enough to meet under the most favourable circumstances. With these principles as our guide, we have to deal with the interests of employers and employed, and shall do so, I hope, in harmonious discussion; and ere the Session closes I trust we may add another wisely written page to our Factory Legislation.

(4.43.) Mr. A. J. MUNDELLA: It is due to the House, after the speech of the Home Secretary, that something should be said on behalf of those whose names are on the back of the Bill, as to the course we propose to take. But, before saying this, I may be allowed to congratulate my right hon. Friend upon the admirable Debate we have had this afternoon, the temperate character of which, I think, is in large measure due to the lucid, conciliatory, and exhaustive manner in which my right hon. Friend moved the Second Reading of the Bill. I think we have nothing to complain of in what has been said by hon. Members who have criticised some of the provisions in the measure. The criticisms have been of the most moderate character, and I think, with the exception of those offered by the hon. Member for the Heywood Division (Mr. Hoyle), under some misapprehension—and I observe he is not now in the House—have tended rather to the elucidation of several points, while conveying general support. The Home Secretary last week and the hon. Member for Oldham (Mr. Maclean) again to-day complained that some of the clauses might be infringed by the workpeople, and employers be held responsible for that infringement. There is a plain and simple answer to that objection. In the Factory Act, 1878, there is a clause which remains unrepealed, and which it is not intended to alter, making ample provision for such a circumstance where the occupier of a workshop is charged with an offence which is proved to have been committed by another person. It is in that clause provided that if the occupier proves that he has used due diligence to enforce the execution of the Act, and that the said other person committed the offence without the owner's knowledge, consent, or connivance, then the said other person shall be summarily convicted for such offence, and the occupier shall be exempted from any fine. So there is no danger of an employer being punished for the offence of his workpeople so long as that clause remains on the Statute Book. There are only one or two other matters of detail to which I need briefly refer. The Home Secretary, with reference to the Irish Linen Act, cited by my right hon. Friend, said the provision which furnishes a precedent for Clause 11 in the present Bill was inserted for the benefit of the employer. Admitting that, if such a provision is good for the employer, why should it not be good for the workman in the present case? If it affords security for the one party, why should it not afford security for the interest of the other? There is no novelty in the demand proposed to be recognised under Clause 11 that a workman shall have necessary and sufficient particulars to enable him to judge what shall be his earnings when his contract is completed. I can hardly think that any hon. Member will seriously contend against a provision of that kind. Now the Home Secretary has proposed that the Bill shall be read a second time, for which we thank him, and that then, together with his own Bill, it shall be sent to the Standing Committee upstairs to be considered with his Bill.

Mr. STUART WORTLEY dissented.

Mr. A. J. MUNDELLA: If that is denied it alters our position very much. We certainly understood that was the proposal. The right hon. Gentleman suggested that it might be possible that clauses from this Bill might be moved as Amendments to the Government Bill, therefore the two Bills would be concurrently considered.

MR. STUART WORTLEY: The Committee cannot consider more than one Bill at the same time.

MR. A. J. MUNDELLA: But the Committee can have the two Bills before them at the same time.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): What I understood my right hon. Friend to contemplate was not that the two Bills should be referred to a Grand Committee, which would be most unusual, but that his own Bill should be referred, and that the right hon. Gentleman's clauses might be moved as Amendments or as additions to the Bill in Committee.

MR. A. J. MUNDELLA: I think the right hon. Gentleman is mistaken. The Home Secretary distinctly stated that this Bill might also be referred to the Standing Committee to be considered, together with his own Bill. That there would be a great advantage in having the Bills so dealt with all of us who have had experience of the work of a Standing Committee know. It is an open Committee, reporters are present, the proceedings are public, votes are taken, and the form of procedure resembles that of Committee of the whole House. It will be a great advantage to have on that Committee a number of practical experienced lawyers, together with representatives of the interests of particular industries, so that every branch of the measure may be considered. I have, therefore, urged upon my right hon. Friend that he should consent to the proposal of the Home Secretary, and I am glad to say he is disposed to do so. The understanding is that this Bill when read a second time shall be referred to the Standing Committee with the Bill of the Home Secretary. I hope the House will now read the Bill a second time.

Question put, and agreed to.

Bill read a second time.

(4.55.) SIR HENRY JAMES: With the permission of the House I will now ask leave to take the Committee stage to-morrow, and upon the Motion that the Speaker leave the Chair, perhaps the leader of the House will say whether, in accordance with the statement of the Home Secretary, it is proposed to take the Second Reading of the Government Bill before Easter. After full consideration with my friends, I am willing that this Bill should be referred to the Standing Committee, together with the Government Bill.

(4.55.) Motion made, and Question proposed, "That the Bill be committed for to-morrow."

*MR. MATTHEWS: There are practical difficulties in the way of referring the two Bills to the Standing Committee, which can only deal with one Bill at a time. My right hon. Friend can attain the object he desires by bringing before the Standing Committee on the consideration of the Government Bill clauses from his own Bill, and proposing them as additions to the Government proposals. This will practically be the same thing as the consideration of both Bills. My right hon. Friend will find that many of the clauses are incorporated in the Government Bill already, and other clauses may be treated as I suggest. It is not possible to deal with the Bills together.

(4.56.) SIR HENRY JAMES: But my right hon. Friend will see that I must do one of two things. I must take the Bill into Committee, or I must abandon it. I will not abandon it, so it must go through Committee, either Committee of the House or Grand Committee. The latter is thought to be the most convenient, and, at the same time, I will do all I can so to deal with the matter as to obviate any difficulty arising from having to consider both Bills.

*(4.56.) MR. TOMLINSON (Preston): A similar course to that now proposed was followed last year in amending the Companies Acts. A Government Bill, and one introduced by a Private Member, were both read a second time and referred to a Grand Committee. This enables the Grand Committee to deal with them by incorporating clauses from one Bill into the other, or by reporting them separately. Clauses from this Bill might be proposed as Amendments to

the Government Bill, and when it is seen how much of the present Bill is added to the Government Bill the right hon. Gentleman can judge whether it is necessary to proceed with this Bill.

MR. A. J. MUNDELLA: Still, it will be necessary to send the Bill to the Grand Committee.

Question put, and agreed to.

Bill committed for to-morrow.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 17.)

SECOND READING.

Order for Second Reading read.

(4.58.) MR. LEES KNOWLES (Salford, W.): This is a small Bill, dealing with a technical subject—the payment of the expense of registration in an area between the boundaries of a municipal and Parliamentary borough. Under the Parliamentary Registration Act, 1843, all registration expenses in a Parliamentary borough were made payable out of the Poor Rate. Under the Parliamentary and Municipal Registration Act, 1878, the List of Parliamentary Voters and the Burgess List in a Parliamentary borough were to be made out together, and the expenses incurred by the Town Clerk and the Overseers were made payable, half out of the Poor Rate and half out of the Borough Fund. And the expenses in respect of an area exclusively Parliamentary were made payable out of the Poor Rate. That is to say, that before the County Electors Act the whole of the expenses of so much of a Parliamentary borough as extended beyond a municipal borough were made payable out of the Poor Rate. The County Electors Act, 1888, is to be construed as one with these Registration Acts, and under that Act the Lists of Burgesses, County Electors, and Occupation Voters for Parliamentary elections are to be made out together; and all expenses with respect of county electors incurred by Town Clerks were made payable out of the Borough Fund. Doubts have been expressed, and a difficulty has now arisen, as to the payment of expenses of registration in an area—a parish or part of a parish—beyond the municipal and within the Parliamentary area of certain boroughs; and this Bill provides, following the analogy of the Act of 1878, that half those expenses shall be defrayed out of the County Fund and half out of the Poor Rate. I may say that several Petitions from Municipal Corporations have been presented in favour of the Bill, which also has the support of the Association of Municipal Corporations.

Bill read a second time, and committed for Monday next.

TEACHERS' REGISTRATION BILL. (No. 48.)

SECOND READING.

Order for Second Reading read.

(5.3.) MR. A. H. DYKE ACLAND (York, W.R., Rotheram): I believe there is no objection in any part of the House to this Bill being referred to a Select Committee, to which the Bill introduced by the hon. Baronet the Member for Evesham (Sir R. Temple) has already been referred. The two Bills do not largely differ, and it is the desire of a large number of teachers that the whole subject shall be thoroughly threshed out as it only can be by a Select Committee. If the House will allow the Bill a Second Reading, I will move that it be referred to the same Select Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."

(5.5.) MR. KELLY (Camberwell, N.) It is unnecessary, I think, that the two Bills should be referred to the same Committee. They cover, to some extent, the same ground, but I think the Committee will deal more effectually with the subject in considering the Bill of the hon. Member for Evesham than if this Bill is also referred to it. I regret that I had not the opportunity of offering a few observations when the other Bill was before the House, and however the object of this Bill may be approved I do not think the Second Reading should be passed without discussion. I take it the object is to afford some guarantee that those in whose hands the education of our children is placed shall be duly qualified for their profession. The days have long passed when it was considered that a man who failed in other trades would make a good coal merchant or schoolmaster. To a great extent parents are now sufficiently interested in the education of their children to take care where they send their children for instruction. This Bill has for its object the affording of a guarantee of a double character. In the first place, the person to be registered under it is to be duly qualified by education for the office of teacher; and, secondly, he is to be further qualified by practice in teaching. Now, I think I can show that whatever advantage there may be in the first part of the guarantee, the second is absolutely impracticable. The House is probably aware that in the Bill of the hon. Baronet the Member for Evesham there is a definite limitation as to the classes of schools and teachers to come under the Bill, that Bill being exclusively confined to schools where intermediate education is carried on under the Act, thus not including such schools as Winchester, Charterhouse, &c. But the hon. Member opposite entertains a very different view to that of the hon. Baronet, and no schoolmaster, even at Eton, would be exempt from registration under this Bill. Nobody will be exempt, so far as I understand, but heads of colleges or halls, Professors, Fellows, Readers, Lecturers at colleges; but beyond these the Bill will be applicable to every person engaged in tuition throughout the country. I think the hon. Member might have been content to follow the example of the hon. Baronet, not seeking to include all the schoolmasters in the great schools of England. In the definition of a teacher we find considerable difference between the two Bills. This Bill defines a teacher as any person who forms part of the educational staff of any school. The Bill of the hon. Baronet, in Section 4, provides that it shall apply to elementary schools, not including any school where the fees exceed 9d. a week. Therefore, I take it that, though in some respects the Bills are similar, in other respects they are very different indeed. And now as to the machinery by which the Bill is to be put into operation. I think the House will be amused at the nature of the proposed Council which is to tyrannise over every person engaged in tuition in the Kingdom. It is a curious thing that in the Council to be formed for carrying out the Bill, while the National Teachers' Association of Ireland is mentioned as nominating two members, Trinity College, Dublin, has not the power to nominate one. While the Universities of Oxford and Cambridge have also the right to nominate two members, other Universities have no such right.

MR. A. H. DYKE ACLAND: If the hon. Member will allow me to explain: There is no desire to exclude any University; but it is difficult among so many, in the initial stages, to mention the names of all the bodies, and provision is made for additions.

MR. KELLY: Yes; I know I have called attention to one part of the proposal for the formation of the Council, but I do not know that the hon. Member's remark applies to Dublin University and other bodies in the transition stage. I should have thought that there are claims that come before those of the conference of head masters and mistresses and others to nominations, and I maintain it would in no sense be a representative Council for those who would be vitally affected by the Bill. Out of 23 members of the Council, there would be only four at all representative of the thousands of schoolmasters over whom the Council would rule. Among the bodies who are to elect members to the Council I find the College of Preceptors. Now, I venture to think I do not improperly describe this body as a private speculation for the purpose of carrying out examinations, and I decline to accept a proposal which places the Universities of Oxford and Cambridge on a par with the College of Preceptors. I do not propose to go through the Bill with criticisms and objections that are not proper to this stage; but I wish to point out that the Bill offers no security for the attainment of that object, which no doubt the promoters have really at heart. Although the main object of the Bill is to offer a guarantee of the efficiency of the teachers registered under it, in reality it offers no guarantee or security at all. By Clause 22 all persons who have been engaged in teaching for two years may, within three years of the passing of the Bill, be registered as competent teachers for the rest of their lives, no matter how incompetent they may be. Then after the expiration of three years a person shall not be qualified for registration until he has attained the age of 21, and holds a certificate of having passed an examination in the theory and practice of education. Well, I do not know that a man will be a better teacher from having been taught something of the theory of education. I have been engaged in tuition, and I speak with knowledge when I say no man can be a successful teacher unless he has three qualifications—sufficient education, the necessary amount of tact, and has had some practice. I do not know where a man can get practice unless he gets a junior form in a school, and I can conceive of no machinery which will turn out hundreds of thousands of teachers every year fully versed in the theory and practice of education. The thing is impossible. I think a number of people are allowed to enter the profession who are unqualified for it; but I am at a loss to know how a certificate of examination in the theory and practice of education will help any one. I should have thought that the first qualification—which is carefully absent—would have been that a man should have taken a degree at one of our Universities. The qualification might have been that no man should become a master unless he had taken honours; but it does seem to me monstrous that a man who has gone to a University and followed a University career should be debarred from taking this position, because he has not satisfied the College of Preceptors by examination in the theory and practice of education. Three years after the passing of this Bill no human being, however high a degree he may have taken in a University, will be able to take up the profession of teaching unless he has this certificate from a body with which the College of Preceptors will have a great deal to do.

Mr. A. ACLAND: The College of Preceptors will have nothing to do with it. The Bill which refers to the College of Preceptors is that of the hon. Baronet opposite, which has been referred to a Select Committee.

Mr. J. R. KELLY: I saw that some unfortunate individuals under the Bill were to be mulcted in £5 fees, and I, therefore, thought that the College of Preceptors would have something to do with the matter. I notice that another qualification is to be "a teaching diploma of Cambridge University." But who knows anything about any such diploma? It is certainly some years since I was at Cambridge, but when I was there I knew nothing about any such diploma. Another qualification is to be a Fellowship or Licentiateship of the College of Preceptors. But what does this really amount to? I am not surprised to find it put alongside a diploma of the University of Cambridge. Though I accept the statement that this is not the Bill of the College of Preceptors, I cannot help thinking that, at any rate, the College of Preceptors saw a draft of the Bill before it was printed. The secret of the Bill is to be found in Clause 28, which provides that every duly qualified applicant till 1893 for registration shall pay a fee of £1, and after that date a fee of £5, and that in the case of any other person applying the fee shall be £3. I would ask if the House can approve of a Bill, one of the main objects of which is to create a great fee-making machine? Does the House know what it means to make every unfortunate man engaged in teaching in this country pay £1? Does the House know how many of these men there are engaged in teaching in the country, and what their circumstances are? If it does, I do not think it will allow these penalties to be inflicted on every poor struggling teacher throughout the United Kingdom. I want to ask what the money is wanted for? Perhaps it is necessary to charge some fee; but on what principle £15,000 or £20,000 is to be screwed out of the pockets of some of the most deserving and most hard-working people in the country I am at a loss to imagine. I have consulted several teachers on the subject of the Bill of the hon. Member for Evesham, and they declare it to be monstrous that out of their small salaries of £40 or £50 a year they should be compelled to pay £1 for that which they say will do them no good. The registration fee should be a purely nominal one—not more than 5s. at the most. I suppose we shall be told that the Bill is a voluntary one, and that no one will be called on to pay the £1 unless he chooses to register. Yes; but what will be the position of a teacher if he is not registered? He will be able to teach, but will not be able to recover his fees by law. An unscrupulous parent who has incurred a debt by sending his child to this teacher may refuse to pay, and there will be no means of suing him. In the same way an unscrupulous registered master may employ an unregistered assistant, and, at the end of the term, may refuse to pay him, and the assistant would have no redress. I should like to know on what principle such an outrageous law as that is to be justified? It is all very well for the hon. Member for Rotherham to tell the House that the schoolmasters of the country are in favour of the Bill. I would ask, "When did the schoolmasters of the country see it, and have they expressed an opinion in favour of it?" The Bill of the hon. Member for Evesham is an old Bill, having been before the House Session after Session. The schoolmasters may have had an opportunity of seeing it. But as to this Bill I have been able to bring it before dozens of schoolmasters, and never yet found one who had heard of it before.

MR. A. ACLAND: I have received quite lately a communication from the Schoolmasters' Congress, consisting of delegates from all parts of the country. They say they have carefully considered the Bill, and consider its main provisions admirable.

MR. J. R. KELLY: I can quite understand that the masters like it. They have nothing to object to in it. It is nothing for a man earning £3,000 or £4,000 a year to pay £1 for registration, and it will be to his interest to support the imposition of fees in order to limit competition.

(5.29.) MR. WILLIAM JOHNSTON rose in his place, and claimed to move, "That the Question be now put," but Mr. SPEAKER withheld his assent, and declined then to put that Question.

It being half an hour after Five of the clock, the Debate stood adjourned.

Debate to be resumed to-morrow.

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.—(No. 57.)

SECOND READING.

Order for Second Reading read.

(5.30.) MR. FINLAY (Inverness): I do not know whether the House will allow the Second Reading of this Bill. It is simply to enable the Local Authorities of Scotland to exercise the powers which they have in a cheaper way, subject to obtaining the sanction of the Secretary for Scotland.

Motion made, and Question proposed, "That the Bill be now read a second time."

(5.31.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I do not object to the Bill being read a second time, though it is unfortunate that it should be taken at this hour, for it will serve, if passed, a useful and beneficial purpose. Perhaps the hon. and learned Gentleman will fix an early date for Committee, because within the course of the next few weeks the Local Government Board will have issued some regulations which are provided under the 57th section of the Public Health Act, which will throw considerable light on this subject, and which will aid the Committee of the whole House in considering this Bill.

(5.33.) DR. CLARK (Caithness): I consider the Bill of such importance, that I object to the Second Reading being passed without sufficient time to consider it.

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed upon Wednesday next.

GLEBE LANDS BILL.—(No. 109.)

SECOND READING.

Order for Second Reading read.

(5.34.) MR. H. H. FOWLER : Will the hon. Member explain the object of this Bill?

MR. MOWBRAY (Lancashire, Prestwich) : The Bill has been before the House during the last three or four years. It is to give incumbents who are occupying glebe lands, or rather the representatives in case of deaths, the same opportunities to recover from the successors to the incumbencies which agricultural tenants have under the Agricultural Holdings Act.

Question put, "That the Bill be read a second time."

(5.35.) MR. JOHN KELLY (Camberwell, N. :) I object.

Second Reading deferred till to-morrow.

MUSEUMS AND GYMNASIUMS BILL. (No. 159.)

SECOND READING.

Order for Second Reading read.

(5.37.) MR. H. H. FOWLER (Wolverhampton, E.) : Will the hon. Member for Wigan explain the object of the Bill?

*(5.38.) MR. F. S. POWELL (Wigan) : At present we cannot have either a museum without a Free Library Act or a gymnasium without adopting the Baths and Washhouses Act.

Bill read a second time, and committed for to-morrow.

MOTIONS.

MOVABLE DWELLINGS BILL.

On Motion of Mr. Burt, Bill to provide for the regulation of Vans, Vehicles, and Tents used as Dwellings, ordered to be brought in by Mr. Burt, Dr. Cameron, Mr. James Campbell, Mr. Elton, Mr. Fenwick, Mr. Matthew Kenny, Mr. John Kelly, and Colonel Makins.

Bill presented, and read first time. [Bill 222.]

POOR RELIEF (IRELAND) BILL.

On Motion of Sir John Pope Hennessy, Bill to amend the Law relating to Outdoor Relief of the Poor in Ireland, ordered to be brought in by Sir John Pope Hennessy, Mr. Sexton Mr. Penrose FitzGerald, Mr. Matthew Kenny and Mr. Addison.

Bill presented, and read first time. [Bill 223.]

LAND PURCHASE (IRELAND) ACT, 1885 (ADVANCES).

Return ordered—

"Showing the number of Advances made under 'The Land Purchase Act, 1885,' under the following heads: Advances not exceeding £50; Advances exceeding £50 and not exceeding £100; Advances exceeding £100 and not exceeding £200; Advances exceeding £200 and not exceeding £500; Advances exceeding £500 and not exceeding £1,000; Advances exceeding £1,000 and not exceeding £3,000; Advances exceeding £3,000 and not exceeding £5,000; Advances exceeding £5,000." — (*Mr. Shaw Lefevre.*)

PRESENTATION TO BENEFICES BILL [LORDS].

Bill read the first time; to be read a second time upon Monday next, and to be printed. [Bill 224.]

LICHFIELD CATHEDRAL BILL [LORDS].

Bill read the first time; to be read a second time upon Monday next, and to be printed. [Bill 225.]

PUBLIC ACCOUNTS COMMITTEE.

First Report, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 107.]

PUBLIC PETITIONS COMMITTEE.

Fourth Report brought up, and read; to lie upon the Table, and to be printed.

House adjourned at twenty-five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 19th February, 1891.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

*THE EARL OF MORLEY: My Lords, I beg leave to present a Report from the Committee of Selection appointed for Standing Committees, and I shall not do so in absolute silence for this reason: that the Committee of Selection have not pursued precisely the same course as was followed last year. In accordance with the apparent wish of the House they have this year only appointed one Committee, but they wish it to be distinctly understood that the 72 noble Lords who are placed on that Committee are only to be appointed for a time, probably till Easter, the object being to appoint noble Lords only who are likely to attend up to that period. After Easter it will probably be necessary to re-constitute the Committee, or to appoint again the two Committees, as was the case last year. But I was anxious that it should be distinctly understood by noble Lords who are not placed on this Committee now, that if they desire to be placed thereon, according to the new Standing Orders, there will be no difficulty in the Committee of Selection placing them on it.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have (in pursuance of Standing Order No. L.) nominated the following Lords to serve as Chairmen of Standing Committees:

L. Chancellor.
E. Cadogan (*L. Privy Seal.*)
E. Derby.
E. Belmore.
E. Morley.
E. Camperdown.
E. Kimberley.
E. Selborne.
L. Monk Bretton.
L. Herschell.
L. Basing.

And that the Committee have (in pursuance of Standing Order No. XLVI.) nominated the following Lords to serve on the Standing Committee appointed on Thursday last:

L. Abp. of Canterbury.
L. Chancellor.
L. Archbishop of York.
V. Cranbrook. (*L. President.*)
E. Cadogan. (*L. Privy Seal.*)
D. Saint Albans.
D. Rutland.
M. Salisbury.
M. Abercorn. (*D. Abercorn.*)
E. Mount-Edgeumbe. (*L. Steward.*)
E. Lathom. (*L. Chamberlain*)
E. Derby.
E. Chesterfield.
E. Lauderdale.
E. Cowper.
E. Stanhope.
E. Waldegrave.
E. Spencer.
E. Lucan
E. Belmore.
E. Brownlow.
E. Morley.
E. Beauchamp.
E. Camperdown.
E. Granville.
E. Kimberley.
E. Wharncliffe.
E. Northbrook.
E. Selborne.
V. Gordon. (*E. Aberdeen.*)
V. Oxenbridge.
V. Cross.
L. Bp. London.
L. Bp. Winchester.
L. Bp. Carlisle.
L. Knutsford. (*One of Her Majesty's Principal Secretaries of State.*)
L. Willoughby de Eresby.
L. Zouche of Haryngworth.
L. Clifford of Chudleigh.
L. Balfour.
L. Boyle. (*E. Cork and Orrery.*)
L. Foxford. (*E. Limerick.*)
L. Colchester.
L. Ker. (*M. Lothian.*)
L. Clanwilliam. (*E. Clanwilliam.*)
L. Chaworth. (*E. Meath.*)
L. Sudeley
L. Houghton.
L. Romilly.
L. Kenry. (*E. Dunraven and Mount-Earl.*)
L. Norton.
L. Shute. (*V. Barrington.*)
L. Watson.
L. Brabourne.
L. Hothfield.
L. Bramwell.
L. Monk Bretton.
L. Monkswell.
L. Lingen.
L. Ashbourne.
L. Wantage.
L. Elphinstone.
L. Herschell.
L. Hillingdon.
L. Kensington.
L. Thring.
L. Machnaghten.
L. Basing.
L. De Ramsey.
L. Morris.
L. Field.
L. Hannen.

Read, and ordered to lie on the Table.

JUSTICES OF THE PEACE QUALIFICATION AMENDMENT BILL. [H.L.]

A Bill to amend the law with respect to the qualification of Justices of the Peace was presented by the Duke of St. Albans; read 1ª; to be printed; and to be read 2ª on Tuesday the 3rd of March next. (No. 39.)

TITHE RENT-CHARGE RECOVERY BILL. (No. 38.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, this Bill is not a stranger to your Lordships. It has appeared for many years before this House. It has made many journeys and has been exposed to many vicissitudes since you first made acquaintance with it. Whether the results have been altogether salutary I cannot say. At all events its fair proportions have been very much diminished, and it is now reduced to an amount, not such as we should wish to pass, but to an amount which, under the existing practice and conditions of Parliament, it is possible to pass. A Bill raising severe controversial differences, although meeting with a large amount of approval and sustained by strong Parliamentary majorities, could hardly be expected to pass in the present state of Parliamentary business unless every unnecessary weight were removed from it. The most important change that has taken place in the Bill since it was first introduced here is the abandonment for the time of all attempts to legislate upon the question of tithe redemption; but it must not be supposed that by that abandonment we in the least degree renounce our opinion that tithe redemption is a subject well worthy of the attention of Parliament, or that there are evils which require remedying. But it is a very difficult and complicated subject, and we have thought it better to consent to refer it to a Commission in the first instance before inviting Parliament to consider it more carefully. The Bill is now limited practically to effecting two changes in the law. One of them is that process before the County Court is substituted for the simple process of distress by which the tithe owner now recovers the money that is due to him. The other is that the landowner pays directly instead of paying through the hands of the occupier. The first of these two changes has, I think, already commended itself to your Lordships, and I do not think that it requires much recommendation. It is evident that process before the County Court is more in harmony with the general character of our legislation than the ancient process of independent distress. The actual procedure, as far as regards the levying of the tithe, will not vary very largely, because in order to secure that the tithepayer shall not be in a worse position than he is now, the Bill limits the action of the County Court to those remedies now open to the tithe owner. By the Act of 1836, in the first instance, distress is to be levied upon such produce as is to be found upon the land on which tithe is chargeable, and if that is not sufficient, in the second place, there is to be an appointment of a receiver to cultivate the land in place of the owner. That is practically the remedy that is given by the Act of 1836, and, with small differences, that is the remedy given by this Bill. But there will be this great difference—namely, that the processes will take place under the direct operation and sanction of a Court of Law, and will not bring the tithe owner into that close conflict and struggle with the tithepayer which is in all cases a matter to be deplored, and especially in cases where the tithe owner is, as he generally is, the spiritual pastor of the parish, with the result that an unnecessary amount of lamentable friction occurs between the pastor and his flock. We believe that a very considerable amount of the difference which has arisen in some parts of the country with regard to the payment of tithes will be gradually diminished, or, at all events, very much mitigated, by substituting the sanction of a Court of Law for the unsupported and unsanctioned act of the creditor himself. The other change is one of great importance, and is one to which we look for a more wide-reaching and permanent effect, and that change is the substitution of the owner instead of the occupier as the person on whom the tithe is levied. That was the original policy of the Act of 1836, and the present state of things, by which the payment of the tithe and the risk of all alteration in the value of the tithe fall upon the farmer—which is a state of things over a large part of the country—certainly never was contemplated by those who passed the Act of 1836. I do not say that it can be called an absolute departure from the Act, but I think it is entirely at variance with its spirit and intention. What the Act of 1836 says with respect to the relations of the cultivator to his landlord is, that any tenant who shall occupy any lands by agreement made subsequent to the cumulation of any of the rent-charge upon it, shall be entitled to deduct the amount thereby payable from the rent he has to pay to his landlord, and it shall be allowed to him in account with his landlord. Those words, although they do not actually say so, evidently contemplate that the precise sum which the occupier has paid to the tithe owner he shall afterwards recover from his landlord. But that is not the practice throughout a large part of the country. In many places the practice is that the farmer takes upon himself the whole risk of the variation in the value of the produce; that he takes the surplus when it is above par and he loses when it is below par; and that a fixed rent without variation is paid to the landlord. I do not say that the farmer loses on that account, and I do not say that in itself it is an undesirable arrangement, but the evil of it is that in bad times the farmer feels the loss very severely, and is apt to think himself very much aggrieved unless he obtains from the tithe owner the same sort of remission which a farmer under such circumstances expects to obtain from his landlord. It is not just to the poorer clergy that these remissions should be asked for. Their payment is low enough in all conscience as it is, and it was intended by the Legislature that whatever was secured to them by the Act they should receive. But in many districts they have been subjected to the pressure of opinion, which it was almost impossible for them to resist or appeal against, and which forced them, in addition to the loss which they sustained by the fall in the tithe rent-charge, to make considerable remissions to the tithepayer besides, in order to meet the bad times and the suffering which the agricultural classes have been undergoing. I feel that this is one of the practical evils which has resulted from our not following the policy of the law of 1836, and departing, in fact, from the provisions which it laid down. We propose to return to the system which it was intended then to institute, and in making this proposal I must demur entirely to the language that has been sometimes held, as though we were departing from the bargain of 1836, and placing the tithe owners in a more favourable position than Parliament intended them to occupy. That is distinctly not the case. Parliament distinctly intended that they should occupy the position which is defined by this Bill, but the machinery was imperfect, and the intention has been defeated in practice by the custom which has grown up. There is only one more provision to which I need refer. There are, of course, many details and many difficult questions which your Lordships will give careful attention to when the Bill goes into Committee, but I do not think it necessary for me to touch upon them at this stage. There is only one thing which is, in principle, of great importance, and to which I will refer in a few words, and that is the remission which the County Court is enjoined to give where it shall appear that the tithe exceeds two-thirds of the assessed value of the land. I need not say that this will not be of frequent occurrence, but in a few parts of the country there are cases in which it does happen, and the policy which Parliament should pursue in such cases should be as carefully considered as if it was likely to be of general effect. I think that there will be no difference of opinion upon this point, that when we are adjusting the remedies which the tithe owner is to use for the purpose of recovering his tithe, we should be careful that nothing is done which will have a tendency to throw land out of cultivation. If the tithe exceeds the assessed value of the land, it is obvious that the land must go out of cultivation, because the farmer will be giving his pains and his capital to the cultivation of the land without receiving the full return for what he expends, and he naturally will not continue to incur that expense for the benefit of the tithe owner, to whom the money is to go, and therefore will cease to cultivate the land; and when the land is no longer cultivated, there will be no produce upon which the tithe can be levied. In arresting that state of things we are doing the tithe owner no wrong because that condition would deprive him of the produce on which his tithe is to be levied. We are preventing the arising of a condition of things in which not only will the land go largely out of cultivation, which is a great public evil, but there will be no produce which will be titheable, which is a great evil to the tithe owner himself. But we go a step further than that, and, although I quite admit it is open to considerable question and dispute, still on the whole I think that the course we have taken is capable of being adequately defended. We have resolved not only that if the tithe exceeds the assessed value of the land, but that if it exceeds two-thirds of the value there shall be a remission of the rent-charge. Now that difference of one-third represents the expense and the difficulty which the tithe owner would be at if he had to exercise the remedies which are placed in his hands. The remedy, which is practically given to the tithe owner in the case of land like that which is at the very edge of the cost of cultivating it, is to take the land into his own hands and cultivate it and so raise the amount of his tithe. Nobody believes that he could take it into his own hands and cultivate it with a result equal to that which the farmer already in possession, with the experience and with all the convenience which long occupation and skill would give him, would be able to cultivate it in his place. We have measured the difference between the two as being one-third of the assessment. It is a rough measurement, but I believe on the whole it is a fair one. Many persons have pressed us to go as far as one-half; but without being able to put down in exact figures the steps of the calculation, my impression is, judging from the opinion of persons well skilled in this matter which we have had the advantage of hearing, this remission of one-third will fairly and approximately represent the negative value to the tithe owner of the remedy by which alone he can recover the tithe in that case. We, therefore, give the County Court Judge power up to that point to make such remission within those limits as he shall think fit. There is only one other observation I wish to make, and it is with reference to the Amendment of which notice has been given. Of course I have no right to forecast the nature of the opposition my noble Friend will raise against this Bill. It is possible that it may be entirely different from what I anticipate. He may be the enthusiastic advocate for the tithe owners. He may think that this is a Bill for the confiscation of tithes. He may think that much greater advantages ought to have been given to the tithe owner than are given to him; but if I am to found myself on the language he has previously used, I gather that he wants in any Bill of this kind to re-open the settlement of 1836. Now, if it is intended to do this on just principles, that is to say, if it is intended to give to the tithe owner substantially that which by the common law he has a right to—the law which has existed for many centuries—namely, one-tenth part of the gross value of the land—the proposal which has been submitted by my noble Friend would be the most disastrous proposal to the landowners that could be made. In the settlement of 1836 the Church agreed to the loss of a great deal for the sake of getting permanence and peace. It is very easy to ascertain that that was the case. The reckoning may be difficult if you follow it into all the possible varieties of crops that can be grown; but very few figures and a slight consideration will show you that tithes, as calculated according to the principles which prevailed up to 1836, and tithes as levied now at present prices, would be very much in excess of anything that the tithe owner receives. Take corn. The practice up to 1836 was to let the straw represent the cost of threshing and dressing for market. The tithe owner had a right to the corn as soon as it was cut, but for the further process he had to pay, and his practice was to pay for them by surrendering the straw to the occupier. That was a very good bargain for the occupier then, but it would be even better now, for in consequence of the increased facilities in locomotion, straw is a very valuable agricultural product. I do not know whether I have the assent of the noble Lord opposite.

THE EARL OF KIMBERLEY: It is not so with us.

THE MARQUESS OF SALISBURY: Then I pity you. But at all events that was the practice throughout the greater part of the country. I do not know that I shall command the assent of the noble Earl if I say that the price at present rates of an acre of grain of all kinds, leaving out the straw, may be very fairly taken at £5. I think if the noble Earl will make the calculation he will not find I am very far wrong, though, perhaps, I have underrated the price of barley a little. If that be the case it requires very little calculation to find that the tithe of that sum is 10s.; but it is seldom indeed that the occupier now has to pay a tenth, and 10s. an acre would be enormously in excess of what he has now to pay. That there are cases where 10s. would be paid I am well aware, but they are exceedingly rare; and in most cases throughout the country 10s. would be enormously in excess. But even if you go to the opposite end of the scale and take a less remunerative crop, the crop of hay. The tithe owner before 1836 had a right to the hay when it was put in cock—he had a right to have it made up to that point. I suppose I am not exaggerating prices when I say that 60s. an acre for hay in cock would be very readily given in most places, and 6s. an acre, though not an unknown tithe is a very large tithe in any part of the country. The more you look at this by the light of the figures the more you will see that the tithepayer made a very good bargain in 1836, and that even now he would make a very bad bargain if he invited a reconsideration of the covenants. What I think misleads people is the fact that parsons in those days were satisfied with much less, and there were all kinds of agreements and practices and customs which had grown up by which the parsons received really and substantially less than a tenth part of the gross value of the produce of the land. But those were agreements to which no person was bound who had not made them. In the then difficulty of communication, in the difficulties which the parson had in disposing of the produce when he had it, it was no doubt to his interest to make agreement of this kind. But it was decided, in a case before the Court of Exchequer, just before the passing of the Act of 1836, and I think that was one of the causes which led to the passing of that Act, that such engagements were not in the least degree permanently binding, that they were purely voluntary acts on the part of each successive clergyman, and that the clergyman could always, if he chose, resort to his Common Law right of having the tenth part of the gross value of the crop. Therefore, for those reasons, the tithe owner would gain very much if there was a re-valuation. And also, you must remember, that if there was a re-valuation, something according to all fair principles would have to be paid for the growing value of the land. That was an element which was entirely neglected and passed over in 1836; but if you intend to behave fairly in the matter, and to deal with it on the principles on which you buy land for any public purpose, I think you would have to take that circumstance also into consideration. But I have no doubt my noble Friend behind me will not condescend to any calculations of this kind. He will simply rely on the distressed state of agriculture, and the right of owners and occupiers to be relieved. He will rely upon the fact that this is a powerful interest, and that the Church is comparatively weak. My Lords, arguments of that kind which have been put forward in more or less disguise are really nothing but throwing your sword into the scale. They are departing from the principle of justice in dealing with others, and that departure will be subject to all the penalties which every departure from the principle of justice involves. The practice of throwing the sword into the scale is one that when once it begins is very contagious, and it is one which certainly the owners of property would not be prudent, by their example, to encourage. I submit this Bill with some satisfaction to your Lordships, because I hope that at last we are in sight of harbour; but I earnestly trust that it may pass through your House without any alteration sufficiently grave to make its success in the other House doubtful. I am well aware that your Lordships will carefully consider the Bill, and I have no doubt that many valuable Amendments will be introduced. We shall have an opportunity of considering it in Committee of the whole House, and afterwards in the Standing Committee, and I earnestly hope that when those deliberations are concluded we shall have produced a measure which will secure the assent of the other House of Parliament, and which will introduce a very much needed amendment in the administration of the law. I beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Salisbury.*)

*LORD BRABOURNE: My Lords, the noble Marquess, in the eloquent speech which he has just addressed to us, has congratulated us upon the fact that his ship is at last within sight of harbour; but at the beginning of his speech he told us that this measure is only a part of the tithe reform that is contemplated, and therefore I fear that though the harbour may be reached on this occasion, the ship will have to put out to sea again, and that her future setting out may be accompanied by disaster. I know that I am engaged upon a very thankless and hopeless task in opposing the principle of the Government measure on this occasion, but I am emboldened to do so by two considerations. In the first place I cannot forget that, however unanimous Parliament may appear at this moment to be on the subject of this Bill, only five years ago they were equally unanimous in passing a Bill upon the kindred subject of extraordinary tithe of which no one whom I have ever heard speak of it has had a good word to say since. That was a measure which related to the addition made to ordinary tithe on lands upon which crops of a specially lucrative character were being grown, which ceased when the crops were no longer grown. Well, Parliament abolished that tax for the future, but in respect of the past it appointed Commissioners to ascertain in some extraordinary way the gross value of that tithe, and then imposed upon the owners of the lands (who had received no benefit from the crops in question) an everlasting burden by way of rent-charge, and made them pay for setting the law in motion. But there is another reason why I hope Parliament will yet deal with greater caution than it has done with this matter. This is not the first Bill the present Government has introduced upon this subject. I am bound to admit that the second Bill was an improvement upon the first, and that this Bill is somewhat an improvement upon the second; but judging by that happy result I am also inclined to think that if the Government will take back their Bill, make a little further inquiry into the matter, and make it somewhat more like the one previously introduced, it is possible that at last we may have a Bill that is nearer perfection than the one before the House. Now I put it to your Lordships—was there ever in the history of Parliament or of this country a measure brought forward with so little inquiry, or with so little demand for it? Who has asked or petitioned for this Bill, and what statistics have your Lordships had placed before you—what evidence to show that the present system is not working well in England? I may be told—I have seen it stated in the public newspapers—that the reason for the introduction of this Bill is the difficulty of collecting the tithe in Wales. Well, that may possibly be an argument for confining the operation of this Bill to the Principality; but if you are going to change your system, whether it be in England or in Wales, you ought first to show that there is some fault in the present system, and that has not been proved or even alleged upon any statistics which have been presented to this House. I myself asked the noble Marquess last year if he could furnish some statistics in the matter; but he replied that he did not know how or where they could be got. If, since 1836, when this Act was passed, there have been no complaints in this country, —as I maintain has been the case—of the manner of collecting this tax, why is the whole of England to be disturbed and existing arrangements upset because there has lately been a difficulty experienced in Wales? So far as I understand it, though I do not pretend to be very conversant with that agitation, it is due to a different cause altogether. It is not a protest against the manner in which the tithes are levied, but to the application of them after they are levied; and therefore, whatever you may do, however you may alter the manner in which the collection is made, that objection will remain. But there seems to have stolen into the imagination of the Ministry some idea that people who resist and detest distraint at the present moment are going to be entirely satisfied the moment that distraint is put in force by the County Court, and not by the owners, the clergy themselves. That is an entire surmise, and for my part I believe the dissatisfaction arises from the distraint itself, and that the resistance would be the same in vigour and vivacity from whatever quarter the distasteful operation may be enforced. Now, the noble Marquess stated fairly enough what the object was of the Bill of 1836. He said very truly that the object was to make the landlord liable. That is true; and what I contend is that the landlord always has been, in fact, liable ever since the Act of 1836. It is quite true that in many instances the tithe is paid through the occupier, but how does that affect the position? If I give my butler £5 in addition to his wages in order that he may pay bills to that amount for me, I am not increasing his wages by £5; and in the same way if I let a farm for £80 instead of £100 in order that the farmer may himself pay some charge to the estimated amount of £20 upon the land, I am not putting upon that tenant any burden. He is not bearing the burden upon the land; and what the noble Marquess has really done I will describe in a moment. Here let me say how astonished I have been at hearing the claim which has been put forward, not, I own, by the noble Marquess, but by some of his supporters, that this is a great benefit to the tenant farmers of England. A Member of Parliament, more or less distinguished, no doubt, came down to my part of the country the other day and made a speech to an enthusiastic audience of 56 persons, of whom ten were clergymen—in which he said that the present Government had done a great many good things, which I do not dispute, but the greatest boon ever conferred on the tenant-farmers was shifting the burden of the tithe to the shoulders of the owner from the shoulders of the hard-working tenant-farmer. The error of that statement is only equalled by its audacity. If there was any gratitude due to anybody it is due to the Whig Government of 1836, who put the burden upon the shoulders of the owner. Everybody knows that the owner is liable. The process gone through where a tenant is about to leave his farm and has not paid his tithe is very simple: the agent of the landlord goes to the valuer, who is valuing him out, and tells him that he must not pay over the valuation until a receipt has been produced for the rent and tithe. The Government know that they are not benefitting the tenant-farmer at all. What they are doing in this Bill is to say that certain arrangements which have existed, and have answered since 1836, shall no longer be allowed to exist—that is to say, they who have so often on other occasions protested against the violation of private contracts are going to declare that this particular description of private contract shall no longer exist. But I leave the noble Marquess, if he will so far condescend to ask himself one single question—why is it that the rent-charge has been so constantly paid through the occupier, and not directly through the landlord? The question answers itself. This arrangement has grown upon account of its convenience; it is not a thing which has been imposed upon trembling occupiers and fearful tenant-farmers by cruel landlords. It is a simple arrangement which has grown up because it has been found so convenient. This Bill is going to find out the owner everywhere, but I venture to say you will find a little difficulty sometimes in doing that. I do not think the noble Marquess has realised the enormous difficulty of it. Let him go into any house here in this Metropolis, or in the suburbs, and try to find who is the owner. He may find that there is, first, the occupier, then a sub-lessee, probably several, then the long lessee, then a mortgagee, and at last he arrives at the man who has what the lawyers call the "equity of redemption." You may know that he exists but you have to find him, and the difficulty of finding him will be immense. My belief is that without intending it, the noble Marquess will in many instances plunge the tithe owner into a sea of litigation and difficulty of which he has no conception at the present moment. I have said that it is a misstatement to say that the Government are conferring a benefit upon the tenant-farmers. If I thought they were doing so I should be among the first to give the Government credit for it, for I am always willing to give them credit if I can, but in this instance I must deny that there is any credit due to them. The noble Marquess told us that the Act of 1836 was an immense benefit to the landowners, and that great sacrifices were then made by the Church. Now, I utterly dispute that proposition, and I ask noble Lords to read the history of that time as contained in the Debates upon that Act if they wish to know the real state of things. In the first place, from the manner in which the tithe was collected, the system had become so unpopular that many people thought it was time to sweep it away altogether, and the whole system of tithes and the position of the Church were never in greater danger. That Act was conceived in the interests of tithe owners and tithepayers alike. I have here a quotation from a speech of Lord John Russell upon the subject. Lord John Russell's own words were—

"The income of the clergy will ultimately flow from the landowners, and not from the tenants or farmers, and the clergyman will be relieved from an alternative that now often exists, either of making a personal enemy by pressing his demand or injuring himself by abandoning it."

But what has been the loss? I have explained how it was that the system grew up by which the tithe was often paid through the occupier. Let us now ask ourselves how about this great sacrifice on the part of the Church? It was stated in the Debates at that time, and without contradiction, that the opinion of that Bill throughout the country was such that it was popularly called the "Clergyman's Bill." I will not go so far as to say that was correct, but it is certain that one great point which had to be faced by them in the matter was the expenses of collection. The noble Marquess tried two or three times to show, from the manner in which the tithe had to be collected, that undoubtedly a great sacrifice had been made by the Church. I find, however, from the Debates of the time that, while in some instances it was alleged that the costs of collection did not exceed 5 or 10 per cent., in a great many more they constantly came to 40 or 50 per cent., and as the cost of collection was entirely saved to the Church it is not so unnatural, I think, if the noble Marquess will consider what the circumstances of the case were that the measure should have been considered as favourable to the clergy. They had to get the produce from the land and prepare it for market; and to house that produce necessitated the erection of those large tithe-farms which many of us remember, and the maintaining and repairs of these buildings of course involved considerable expense. The Government of that day took evidence upon the matter; they acted with impartiality, and they came to the conclusion that upon the average the tithe owner got, perhaps, £75 out of £100 supposed to be due to him. That is to say, £75 per cent. was the net amount received. Now all that cost of collection was entirely saved to the Church. But there was something besides that. The clergyman besides had the immense advantage of having the land instead of the produce of the land from which to take his claim, and he had the security of the landowner behind him. When the produce of the land had to be looked to, and the clergyman had to take his tithe, every tenth sheep and so on, if any disease attacked the flocks, or if a blight happened to the produce, he was of course a sufferer; but instead of that he then had the hard cash secured to him, which was no trifling benefit to him, and beyond all that he had the security of the landowner who was responsible for the tithe. Therefore to say that the Church made such an enormous sacrifice, and that that Act was for the benefit of the tithepayers is an assertion which in the interests of that justice which the noble Marquess invoked so pathetically just now I cannot allow for a moment to pass. Now, I want to know what is to be the great gain which you are to obtain from this Bill? In the first place, as I understand it, the owner is to pay direct. Has the noble Marquess thought of the effect of that? As far as regards the tenant farmer, there is an idea that he is to be benefited in some extraordinary manner by this arrangement, and that as far as the clergy are concerned friction is to be avoided. I never could quite understand what is meant by the friction between clergymen and their parishioners. I can understand the existence of friction in Wales, because there the people object to the tithe itself; and I can understand friction existing in some parts of England where the tithes are so heavy that, however patient men may have been under them, they will not be patient much longer. But I deny that in most parts of England there is any friction between the clergy and their parishioners. I believe there is the greatest possible good feeling between them; and whether a man is a small owner paying on his own account or not I believe there is little difficulty from one end of England to the other in the collection of the tithes. I think it is strange that those who pose as the friends of the Church should entertain so bad an opinion of the relations between clergymen and their parishioners. I think that argument of friction is an argument insulting to both, and I do not believe there is that friction. And besides, what is it that is objected to? The occupiers are still to pay the tithe yearly, but I am not to be allowed to say to my tenant, "You are to have your land for so much less rent, and you are to continue to pay the charge yourself." I am to pay the charge, and it is specially enacted in this Bill that a receipt shall be given me specifying that so much of the amount paid is "tithe paid to the Rev. Mr. Smith." Of course, you thereby earmark the payment. The farmers are not going to be deceived. This Bill is really an attempt to humbug the tenant farmers into the belief that you are giving them some advantage which you are not giving them; but they will soon be undeceived, and the effect will be to increase the dissatisfaction in regard to tithe. Whether the Rev. Mr. Smith distrains in respect of the tithe, or whether I distrain in my own name on account of the payment which I am obliged to make to the Rev. Mr. Smith, the tenants are far too sharp not to know exactly how it arises, and the friction will be as great as ever it was. The noble Marquess has told you what good this transfer to the County Courts is to establish. Well, I am not so certain of it. The County Courts were introduced, I suppose, to afford the public an easy manner of recovering debts and to give cheap law to the community. They have worked well and are popular; and the noble Marquess should consider whether he is not likely to make them unpopular by converting them into engines for extracting tithes from unwilling people. I am not going into the question of what the effect of a re-valuation might be; but I think it is most mischievous to allow the present state of things to exist. Perhaps many noble Lords have read certain publications which have been recently issued, which state the enormous proportion which tithe in a great many instances bears to rent. I happen to know how it operates in my own county. I will give three instances: In the case of one small farm the landlord receives £35 and has to hand over £18 for tithe; in the next case the rent is 20s. an acre and the tithe 10s.; and in the third (these are only, my Lords, some of many similar instances) the rent which the landlord receives is 12s. per acre, of which he has to hand over 8s. to the clergyman, so that he has to be content with 4s. himself. In the case of large landowners that may be a matter of small importance. The most rev. Prelate has told you in a previous Debate how very many tithepayers are small landowners. If you only consider what this burden of tithe is on the land for a moment, I think you will agree with me when I say that it is an enormous and a cruel one, which ought not to be placed on the producers of food in this country. I do say that in dealing with a big subject of this kind, before attempting to give further facilities for inflicting a burden and enforcing such a tax as this, you ought, in the first place, to see that the burden is placed upon a fair and proper footing. Let us have an inquiry; let us have a Commission. That is the proper constitutional mode of proceeding in dealing with a great question like this, in order to ascertain whether there is not land which is too highly rated, and whether there is not land in respect of which the tithe should be much lowered. There ought not to be such a state of things as the Church taking the greater part of the rent, whether only a half or as much as three-quarters of the value of the land is taken. Such a condition of things is preposterous; and if it does not appeal to your Lordships now and to the House of Commons, it will come home to you by-and-bye, because it is a cry which will come up again and again until justice is satisfied. The proper course to take would be to inquire, by Commission, into the incidence of the tax, with a view to remedying its inequalities and injustice in many cases. If some such course is not taken now the time will probably soon come when the demand for justice in the matter by the country will force it upon your Lordships and the House of Commons. The noble Marquess has spoken of criticisms on the details of the Bill. I do not wish to detain your Lordships by entering now upon those details. The Committee of your Lordships' House, if the Bill goes into Committee, would be the proper stage at which to consider them. Nor do I mean to detain your Lordships by going into the history of abortive measures in the past. I am satisfied that we have a practical measure to deal with to-night. I have stated what are my objections to this Bill. I believe it is an entire mistake to interfere with a system of arrangement which has grown up by itself, and that very fact shows that it has not been a useless or unpopular arrangement. I believe it is a mistake to place the County Courts in the position in which you are proposing to place them by this Bill, and that it is a still greater mistake to deal with a little bit of this large subject when the Government, with a majority in both Houses, might have taken a comprehensive and effective view of it, and have taken the necessary and proper means to find out where justice lies, and how in this matter justice might be done. I do not suppose that any objections which I have urged against the Bill will be sufficient to induce your Lordships to refuse to give it a Second Reading, introduced as it has been by Her Majesty's Government, but I believe those objections will be recognised elsewhere. I believe they will be felt by the clergy themselves when they find that they are obliged either to forego a claim or to place themselves in irritating and unhappy conflict with their parishioners in the County Courts, and that the clergy, before they have gone very far with the Bill, will find that it is not so acceptable as they have been led to suppose. They may find one difficulty in that part of the Bill which refers to three months' grace being given to the tithepayer. It is necessary that you should give it under the circumstances affecting this Bill. That three months' grace is in substitution for what the noble Marquess in the first Bill proposed—that 5 per cent. should be allowed to the tithepayers who paid within a certain time. That 5 per cent. would have been a boon to some of the tithepayers, and also to the tithe owners, because they would not have been kept out of their money possibly for many months, but would have been paid at once. I think, therefore, the clergy will recognise that this Bill is not so entirely favourable to them as they may have supposed. I believe, also, that my objections to the Bill will be felt by the tenant farmers when they find that, under the proposed system of payment of the tithe, their landlords are obliged to expend large sums, and, therefore, will not be able to extend to them that indulgence and consideration with respect to their rents which they do now at present, when probably a large part of the tithe has been paid by the squire and the larger farmers, the clergyman is able to exercise a judicious clemency as to the rest. But if the squire is obliged to collect and pay it all he will be compelled to press his tenant for payment in a manner which has not hitherto been done. There is no class, however, that will feel these objections more strongly than the large class of small owners occupying and cultivating their own land. Those men are a very numerous body, particularly in the South and West of England, and they have always regarded the present Government as their special friends, and have supported them accordingly. Here is their reward! The Government forgets or despises and has ignored their complaints, bitter and loud as they have been, in this matter, and has dealt with the question solely in the interests of the tithe owner. This large class must be more than human if they forget this, and if they do not resent such treatment. I am afraid you will drive those men to only one conclusion, the effect of which will be to make them more readily listen to arguments that justice is only to be secured through the disestablishment and disendowment of the Church, that tithe is national property which should be devoted in a just and equitable manner to national purposes, and which must not be imposed in an oppressive manner upon struggling and suffering agriculturists. It may, perhaps, be thought that I am hostile to the Established Church. Not at all. I speak in no spirit of hostility to that Church. I believe the Established Church of England never stood in a stronger position than she does at this moment in some respects; and that in the history of mankind there has never been an Organisation which has made such rapid and excellent progress in good work as the Church of England during the last 50 years. But that is all the more reason why the Church should not be associated with that which I say again is an unjust burden. These payments to the extent of three-fourths of the whole value of the land were never intended to be given. I do not consider now the questions why they were given, or to whom. This question of Disestablishment will be again brought forward, if justice is not done, and before that time comes we shall hear more about this burden if its pressure is not relieved. It is impossible that the small owners in England should be content to go on for ever under this burden. I promised I would not detain your Lordships long, and I think I have kept my word. It is for the reasons I have given that I believe this Bill to be an unwise and unnecessary measure, that I believe the noble Marquess has begun at the wrong end by seeking to impose this tax arbitrarily instead of first putting it upon a reasonable and just basis, and that I feel compelled to move that this Bill be read a second time this day six months.

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Lord Brabourne.*)

*The Archbishop of CANTERBURY: My Lords, it is no place of mine to go into the general question of tithe or the terrors we are threatened with. I wish to say a few words upon the question of this particular Bill, and to state what I believe to be the attitude of the chief part of the clergy and loyal Church people with regard to it. The wisest thing that can be done when disorder appears in any part of a body material or a body politic is to attend to the symptoms, in order to ascertain the cause of the evil, and to remedy this as far as may be; and, therefore, although I agree with the noble Lord who has just sat down that friction is not characteristic of the relations between clergy and tithepayers at large, yet I believe that it is well, and absolutely necessary in many cases, to diminish friction where it exists now, lest the same cause should begin to act in other quarters. It is not that the County Court alone will diminish friction, or that payment by the landowners will do so; but it is a judicious combination of these two principles in one Bill which I believe will act very widely indeed in the diminution of friction. If the Bill had been brought in for carrying out either of those two principles by itself, objections might have been taken on the other, but it is the combination of the two principles which gives me hope for the working of this Bill. The noble Lord who has just sat down has commended this Bill beyond its predecessors, which is exactly the line which I myself should wish to take. It deals with the question so far as we are now able to deal with it, and it certainly is the most equitable measure of those which have been before us within recent years. But I cannot help regretting exceedingly the omission of that third principle which was expressed before in the Redemption Clauses. The tithe question will not be really settled till the question of redemption is settled. That is a point in which friction is really felt—the payment of very small sums by very small owners—in all directions. They are both difficult for the clergyman to collect and worrying and vexatious for the small owners to pay. But I am perfectly willing to believe that the Royal Commission which is now sitting on the subject will discover upon delicate questions and phenomena relating to the collection of small tithes, so numerous especially in some parts of the country, some means which will enable the Government to bring in a Bill dealing with that subject in a way, perhaps, possible as yet. One of the most equitable improvements in the Bill appears to me to be the omission of that 5 per cent. which was really to be paid to the landowners as compensation for their taking the liability of the tithe on themselves. It gives me confidence in the justice of the country when I consider why that provision has been withdrawn. It really was not, when the tithe agitation began anew, generally understood that the burden was actually laid by the Tithe Commutation Act on the landowner, and that it was intended so to lie. But the testimony of those who were concerned in the drawing of the Bill upon the fair interpretation of the words in it, such clear interpretation as the noble Marquess has enunciated to-night, has satisfied people in all directions that the liability was always really the landowner's. It is satisfactory to feel, that on a better understanding, that the 5 per cent. has been withdrawn from the Bill. There is another point upon which certainly considerable alarm has existed among the clergy. The private letters I have received, as well as the communications made to the newspapers, exhibit it. This alarm is in regard to the concession made in waiving the amount of the tithe rent-charge which exceeds two-thirds of the rateable value under Schedule B of the Income Tax Act. This has been boldly called confiscation; and if it had been pushed to the extent of deducting everything beyond a half when the tithe rent-charge exceeds a half of the value, I think it would have been very difficult and even impossible to defend the provision. I assent to all the noble Marquess said about the difficulty of precisely fixing the ratio which should be established. But in dealing with this property I am certain that a reduction to a half would be a most unfair ratio; but I confess I do not share the alarm of some of the clergy that they will be made sufferers by the provision that, when the tithe rent-charge exceeds two-thirds of the annual value of the land, the excess shall not be paid to them. I do not share the alarm, because at present I feel that the system which exists is one which does tend to keep land out of cultivation; and I believe that in some parts of the country land is actually kept by it out of cultivation. It is very desirable to remove that lion out of the path. It is unfair to the whole population in a certain way, and unfair to the occupiers and the owners of the land that it should be compelled to lie uncultivated by the fact that, if uncultivated land is taken up again, the cultivator has to face two years of tithe rent-charge in arrears. I believe that, with the provisions of the present Bill, the tithe owner, having to lose only the excess over two-thirds of the annual value, will find that lands will come back into cultivation which have been lying uncultivated, to the great benefit of himself as well as of the farmer. The farmer will be disposed to take the land back into cultivation from the hope that his share will increase, and he will endeavour to cultivate the land in the best manner. It appears to me, therefore, that, though it is but a rough-and-ready estimate that can be formed in this instance, the new provision will be a distinct advantage to both parties. The cases may be, I believe are, few; but this we really do not know at the present time. It may turn out that more land may come into cultivation under benignant provisions than we know of; but, at any rate, the provision will be a distinct advantage to both sides. There is yet another point which has created, and is creating, a considerable alarm. That is connected with the new clauses

which were introduced in the other House relating to rating; and these clauses will, I hope, be explained here by those who are thoroughly familiar with the subject. It is an intricate subject, on which I should not presume to enter minutely now; but I am given to understand that by these new clauses the tithe owner will only be placed in the same position as every other ratepayer is placed in; and, moreover, he will be placed in the position which he was supposed to occupy by all except minute investigators of the law until a recent legal decision was given. In practice the tithe owner in the past has been liable to this provision; and I do not think that it would be at all wise or just for us to desire to place ourselves, as tithe owners, in a different position from the rest of the ratepayers of the country. I should be most loth to do anything or to say a word which would tend to make the passage of the Bill difficult when it goes back to another place; but there are two omissions which I trust the Government will be ready to take into their consideration, and if possible I hope they will introduce some fresh clauses on the subject: The first of these points is the omission of the present right to take possession of land which the farmer has let, or is about to let, go out of cultivation, because he thinks he cannot produce from it a sum which will enable him to pay the tithe. At present the tithe owner then has the right of saying that he will take the land over into his own possession and cultivate it himself. Now, I do not know whether this has actually occurred very often; but I am in possession of cases in which the power to do this has induced the farmer to try again, to his own benefit and to that of the tithe owner. The tithe owner has real property in the land; the farmer is the person through whom he receives its value. If the tithe owner demands his own property, and the farmer replies, "You cannot have it because I cannot produce it out of the land," the tithe owner ought to be able to say, "Then allow me; for I think I can." I know that the saying of this in the past has often produced a fresh application of industry and intelligence to the land, to the advantage of both sides. I hope, therefore, that that provision may be put back into this Bill. The other point I wish to mention is this—I do not know how the difficulty is to be overcome; but it appears to me as a real difficulty, and I hope the Government will consider it—it is this: the owner of the land may make arrangements for his tenant to pay a small or almost nominal rent on condition that the tenant erects buildings on the estate, carries out drainage, or brings a supply of water from a distance. I have been connected with transactions of that kind myself, and they are very advantageous and generally fair and above board. But they might also be used in the new state of things in a collusory manner; and in any case, whether used in a collusory manner or employed in good faith, there ought to be some provision by which the value which is not paid in rent, but which is actually given in the way of buildings, irrigation, or otherwise, shall somehow be ascertained, and not be withdrawn from what is due to the tithe owner. I certainly hope that these two points may be taken into consideration by the Government, and that some means may be devised for meeting them. In the latter point there is certainly a most real risk and danger. I will not detain your Lordships longer on the present occasion.

*THE EARL OF SELBORNE: My Lords, I wish to state to your Lordships, and I will endeavour to do so at no great length, my reasons, not only for dissenting from the Motion which has been made to read this Bill a second time this day six months, but also for accepting the Bill as likely, on the whole, to meet the exigencies of a very difficult situation. In the first place, I entirely agree that the Bill is an improvement on those of former years. In two particular points that improvement is marked. One is that it adheres very closely—I am bound to say rather too rigidly, if anything, in favour of the tithepayer—to the principle of the existing Commutation Act, which throws the burden of the tithe upon the property and not upon the landowner personally. One or more of the former Bills proposed to make the landowner personally liable. That certainly was going beyond the provisions and the intention of the Commutation Act of 1836. If anything could have justified the bonus of 5 per cent., which the same Bill proposed, I think, to give in certain cases to the landowner, it was the imposition of that personal liability which is now abandoned. There was another provision in the same Bill, and, I think, more recently repeated, which I have always looked upon with alarm as to the result which in working might possibly follow, and that was to make a remission to the landowner, no doubt on the same principle as some remission is made to him now, but in the case of the land not being cultivated at a profit. Now, nothing could, I think, have been more difficult, and nothing more alarming, than an investigation of that question in a contested case; and I am very glad to see that those difficulties are overcome in the present Bill by assessing the value of the land to the landowner in a simpler way, and in a self-acting way, with reference to a known existing standard of value, that adopted for the public purpose of Income Tax assessment. The adoption of that standard is in itself a security against it being warped or misdirected or used for any improper purpose. In that respect the Bill is also an improvement upon its latest predecessor, which proposed that there should be a special assessment of the value by the authority which acts for rating purposes. A special assessment for tithe purposes only would have been a less satisfactory way of arriving at any calculation than that proposed by the present Bill founded upon the valuation made for the purpose of Income Tax under Schedule B. Having said that, I am bound to say that I acquiesce in, rather than approve of, the 5th clause, which does make a certain deduction in a certain case. I acquiesce very much on the ground stated by the Most Rev. Prelate that the cases are not likely to be very numerous, and it certainly is much better that such a deduction should be made than that the land should become waste and be thrown entirely out of cultivation. I cannot at all adopt the point of view of my noble Friend who moved the Amendment, and who would claim not that deduction, but infinitely larger deductions for the benefit of the landowner, whom he considers to be at present injured by the incidence of the tithe, and to have a first claim to consideration. I will not follow my noble Friend in his general observations, but

I must express my entire dissent from the principle on which they were founded, and I will endeavour to do so in the words of much greater authorities than myself. In the first place, I will, in support of my dissent, read some words of Lord Althorp in 1834, which I commend to those who, in the interest of the landowners and landlord, suppose that some general re-adjustment of the tithe rent-charge ought to take place for the purpose of practically relieving the landowners from what they consider to be a burden upon their land. The words which I quote show that it is no burden upon their land at all. It is a share and interest in the property of the country which belongs not to themselves, but to others. The passage is very short. He said—

> "Whatever opinion may be held as to the abstract right to tithes, there can be no difference of opinion as to the question that they do not belong to the owner of the land."

And even in that event, to which the noble Lord referred as a possible event, if the discontented landowner were driven to extremities—the event, I mean, of disestablishment and disendowment—it would be remembered that to whomsoever the tithes did belong, they did not belong to the owner of the land. Well, then, my noble Friend seems to think that there is a great vice in the Commutation Act, because it has not in some way divided the beneficial interest in the land, in some reasonable proportions, between the owner of the tithe and the owner of the land which is subject to the tithe, and he spoke of the word "tenth" as if tithe originally meant a tenth of the clear net value of the land. It never meant anything of the sort. Whether it was a good form of property or a bad form of property, it never meant any proportion—a tenth or any other of the clear or net value—of the land. The whole cost of cultivation always was upon those who considered it worth their while, and found it worth their while practically, to cultivate subject to the existence of this paramount right to tithe, and no deduction from tithe was ever made on account of the cost of cultivation. It is, therefore, quite clear that it is a transparent fallacy to think that the Commutation Act went on wrong principles, because it did not provide for a division in some reasonable proprotions between the owner of the charge

and the owner of the land subject to the charge. Upon that point I will content myself with reading to your Lordships Sir Robert Peel's words on the introduction of the Commutation Act in 1836. He said that—

> "Tithe was a payment founded on the basis of actual profit, but rent was not, and, therefore, the two charges were incommensurate, and that being so, an attempt to establish a proportion between rent and tithe must necessarily end in failure and disappointment. He quite agreed with Lord John Russell that it was proper to abandon the attempt to establish a proportion between rent and tithe."

The very idea, I must be permitted to say, is founded upon a total misconception of the relation of the two kinds of property the one to the other. I will not dwell further upon the argument for the rejection of the Bill; but my noble Friend said something as to the tendency of the Bill to increase rather than diminish friction, and he seemed to take exception almost to those who speak of friction as existing to any extent which made any remedy necessary or desirable. He also spoke of the possibility that the County Court, now a popular and successful tribunal, might be more or less discredited by having this additional duty to perform. Now, I do not think the Bill has the slightest tendency to create or increase friction, and I do think that the working of the Commutation Act under recent circumstances and under the pressure of that uneasiness which naturally arises out of the state of distress existing in the agricultural interest, joined to other causes which I would not wish to particularise, has produced in some places an actual friction of a serious and alarming kind, not only serious and alarming to the owners of tithe, but to the general interests of order in the country at large. The state of things which for the last few years has existed in Wales has brought to a point, which the previous circumstances never did, the question whether it is right, whether it is convenient, whether it is in the interest either of Church or of State that the clergyman's remedy should be against the property of that person who is not treated by the law as the man primarily chargeable with the burden. Now, in that respect, the Tithe Commutation Act was open to some exception, from which it is only relieved by the fact that the difficulty did not arise in practice for a great number of years, during which years enormous benefits accrued to the land, while the Church certainly suffered a very considerable diminution from its former right in respect of income from tithes. But in principle, when the difficulty arises when the friction does take place, when passions are excited, when advantage is taken of that state of things by those, who wish to excite passions, for purposes not in the public interest, is it possible to defend in a manner satisfactory to one's own mind this state of things—that the law says the burden is laid upon the owner primarily, that if the recovery is made from the tenant he may deduct it from his rent payable to the owner, but that if the person who ought to pay it does not pay it the only remedy is by going on the land and taking by distress the goods of the occupier for that which in the intention of law was not the occupier's burden. It may be said, and truly, that that injustice is theoretical and not practical when the occupier has agreed with the owner that he will pay the tithe rent-charge; but it was not meant by the law that it should be his proper burden; and, therefore, any remedy which distinctly applies itself to the interest which ought to bear the burden, and makes the distress available only when it would be available for rent, and when rent is not properly paid, is an improvement upon the existing state of the law, and especially an improvement when you consider who the persons are who are obliged by the present state of the law to put in force that unpopular remedy, which is so easily capable of being represented to the minds and imaginations of men as making a difference in the incidence of the burden from that which the law intended. The clergy as against their own flocks are in this state of the law obliged by their own direct action to put in force that most unpopular remedy, and to encumber themselves with the difficulty and ill-blood which arise from it. Surely it is a great improvement to let that be done when it must be done through the ordinary machinery of a Court as in other cases of the administration of justice, so that there will never be occasion to distrain against an occupying tenant paying a sufficient rent to a landlord, except for that which is due from him to the landlord, and then the Court only comes into the landlord's place for that purpose. I cannot help thinking that my noble Friend was mistaken in supposing that using the County Court for this purpose would have the bad effects he has feared. It is a great mistake to suppose you will create litigation by giving this form of remedy. Things generally will go on as they went on before. Honest people will pay what is due from them as they paid before; and if the landlord pays through the hand of his tenant—not under binding contracts, for that will now be prevented—as long as the tithe owner gets his money, it is all he can ask for. That is all which anybody can require; and in the great majority of cases, where there is no disposition to put other people's money into their pockets, or to resist other people's rights, things will go on quietly and without litigation, as before. It is only when the man who ought to pay will not pay, and thereby forces others to use legal remedies, that this new legal remedy will come in; and when it does come in, I say confidently that it is likely to work far better and create far less friction and ill-feeling than the existing state of the law. The advantage which persons who are misled by others, or not themselves honestly disposed, can take of the existing state of the law has been proved in Wales on a scale which I cannot but think, from a public point of view, very deplorable and very serious, and which, if permitted to go on, most certainly would spread to other places, because, although those who desire to withhold other men's rights are but a small minority, yet I suppose there is no part of the country where some such do not, unfortunately, exist. Now, with regard to the detailed provisions of the Bill, this is not, of course, the time at which one would go into any minute points. I do not feel sure that I quite understand how the new rules about the House going into Committee first, and afterwards sending such a Bill as this to Standing Committee, will operate. Any Amendments proposed in this House will accordingly, I suppose, all have to be gone through over again or be liable to modification.

THE MARQUESS OF SALISBURY : They will be liable to be re-considered.

*THE EARL OF SELBORNE : The Standing Committee will exercise its discretion ; and I suppose, when it comes back from the Standing Committee, there will be a third Committee upon the Bill.

THE MARQUESS OF SALISBURY : There will be a Report.

*THE EARL OF SELBORNE : I do not know what time the noble Marquess proposes to allow for the consideration in Committee.

THE MARQUESS OF SALISBURY : That would be entirely in the hands of the House.

*THE EARL OF SELBORNE : I thought that probably Tuesday would be rather too early a day to fix in view of any Amendments which are not yet in form. I think sufficient time should be allowed between the Second Reading and the Committee on the Bill to allow of Amendments being carefully prepared. But, though I do not propose on this occasion to go into details, I wish to reinforce as strongly as I can what was said by the most rev. Prelate upon one point. I do not feel quite so strongly as he does upon the first point he mentioned, and, therefore, I have nothing now to say about it; but that which he mentioned last certainly is one of absolute importance which must, and I venture to say will, be provided for. I refer to those cases in which the remedy given by this Bill might be defeated or postponed by arrangements which may be, and in many cases would be, straightforward and legitimate between landlord and tenant, but which also might be sometimes of a different character. In cases where there may be arrangements of that kind made, if no provision were made for them, you would have taken away the existing remedy without practically substituting any other, and would have enabled the owner and occupier, between them, to keep the clergyman out of his money for an indefinite period of time. There might be a lease granted for a certain number of years rent-free, for family reasons or under certain conditions of service ; and though under Clause 5 there might be an amount clearly recoverable against the person liable, yet there would be nothing to be paid by the tenant to the landlord, and, therefore, the clergyman would be kept out of his money during the whole of that tenancy purely by an arrangement between landlord and tenant. There might be cases in which tithe free land and land liable to tithe might be put together, and such an adjustment of rent made that the larger portion should be put on the free part, and the lower portion on the other, and in that way the remedy for the charge would be affected. Another case, not uncommon, of which many of your Lordships may have had experience, (as I have myself) is that in which some outlay is necessary at the commencement of a tenancy to improve the condition of a farm ; and the landlord, who will obtain that benefit, grants to the tenant, for one or more years of the tenancy, by the terms of the contract, a remission from or reduction of rent to an extent sufficient to make the rent in those years inadequate for the payment of what is justly due in respect of tithe rent-charge. The appointment of a receiver would not avail, because there would be nothing, or not enough, for the receiver to receive from the tenant, and, therefore, the clergyman would be kept out of his money. The particular mode of providing for that no doubt requires consideration. I have considered it, but I should be sorry at this moment to commit myself as to the exact mode of doing so, which would be the best. I should desire, if I can, to avoid making any proposition on that subject which the Government might think not so good as some other that might be made, but in some way or other I think the cases which I have mentioned must be provided for.

*LORD BRAMWELL : My Lords, I hope and believe that your Lordships will read this Bill a second time now. I cannot think you will be deterred by anything that has been said by the noble Lord who moved the Amendment, and I think I can show why you ought not to be. This is a matter of procedure entirely. It is not a matter of substance. It does not put a burden upon any particular person more than exists now, and it does not take away from anyone any advantage or privilege or right that he has now in substance. There is a different mode of getting at the due of the tithe-owner and a different procedure is adopted; but it is, as I say, entirely a matter of procedure. Now, the principal argument of the noble Lord who moved the Amendment was a sort of objection to tithe in general, especially to the arrangement that had been made in the year 1836, as between the tithe owner and the landowner, and a kind of suggestion that some alteration ought to be made in the Commutation Act unfavourable to the tithe owner, favourable to the landowner. I trust your Lordships will never accede to an argument of that description. That Tithe Commutation Act was a bargain between the tithe owner and the landowner, ratified by the Act of Parliament itself. Parliament, in fact, made a bargain between the man who had a right to the tithe and the man who had a right to the land, and it was, I do not scruple to say—for I remember perfectly the passing of the Act and what was said at the time about it and what was known by everybody—a most advantageous arrangement for the landowner. I do not ask your Lordships to take my poor word for that, though I remember it distinctly; but you may remember that the present Earl Grey has recently expressed an opinion to the same effect, and he had to do, and very much to do if I remember his own statement on the matter, with the passing of that Act. It may have been a benefit to the tithe owner, and probably was; and it is an exemplification of that which some people cannot apparently be brought to understand, that a bargain between two people may be advantageous to both of them. That bargain was no doubt advantageous to both parties. It was said by the noble Marquess, "If that agreement is to be set aside let us revert to that condition of things which existed before the agreement was made, and the tithe owner will then be entitled to take his tithe in kind." It might not be so advantageous to him as the present condition of things. I believe it would be; but, on the contrary, I believe it would be much more advantageous to the landowner than the present condition of things. And I want to make another remark about tithe in general. The noble Lord who moved the Amendment has called it a cruel burden upon the landowner. It is no burden at all. I daresay the landowner would rather keep the value of tithe in his own pocket than distribute it to any one, but it cannot be called a burden. Suppose there are two persons who are entitled to a piece of land in equal moieties—joint tenants—has either of them the right to say, "That other tenant being entitled to a moiety is a cruel burden upon me." Each of them would be a burden upon the other according to that, and I think the noble Lord would not agree to such a statement of the case. Does it make any difference if the interests of the owners, instead of being divided into moieties, was divided into tenths? The tithe owner has a great deal more than the value of the tenth of the produce, for it is not produced at his expense. But the landowner holds his land upon the terms that the tithe owner is entitled to that share which the law gives him. I cannot think, then, that your Lordships will be influenced by any of those considerations of the character I have referred to which have been presented to you by the noble Lord. I venture to repeat that the question is one of procedure. But the noble Lord proceeded to say there is no question of alteration in the procedure, or, if there is, this is not the best alteration, and he seemed to say that everything went on as pleasantly now as could be except for an occasional little disturbance in Wales. My Lords, I will venture to say that those occurrences which have taken place in Wales have been a perfect discredit to this country, and that something ought to be done to prevent their recurrence by finding a remedy for the dissatisfaction which is the cause of them. Although the noble Lord has paid a very high compliment to the Church of England, and has said that her clergy and their parishioners are on the best possible terms—and I trust they are on very good terms—does anybody doubt that those people, the Welsh farmers, who do not belong to the Church, pay those tithes with the greatest reluctance? The notions of the tithepayer are such that he cannot be got to see that it is not a question between himself who actually pays and the tithe owner, but that it is a question between his landlord and the tithe owner. That they cannot be got to see, and they believe they are supporting a Church from which they differ, which they think is wrong. Therefore, upon all those considerations it seems to me most desirable that some alteration should be made in the law, and I think that nobody who has heard the noble Lord's speech can doubt the expediency of some such alteration being made. For my own part, I have a great misgiving whether the man from whom the tithe is due should not be liable to an action if he does not pay. Everybody else from whom anything is due is liable to an action if he does not pay, and I do not see that tithe is a less respectable debt than any other debt. I know that it might be attended with this consequence: that the tithe owner might be able to maintain an action against a solvent person; whereas if he had nothing but his old remedy of distraining there might be nothing for him to distrain upon. But a remedy for that condition of things might be given by the County Court Judge, and I think it would be a much less elaborate and expensive process if such a remedy as that is given against the landowner. I know that there is a notion prevalent that the landowner might be imprisoned for the debt. Nobody is imprisoned for debt. People are imprisoned for dishonesty. That is to say, when a judgment is got against them, and they have the means of paying the debt and do not pay it, they are sent to prison not because they owe the debt, but because having the means they dishonestly omit to pay it. I cannot see why a tithepayer who is in that position should not go to prison just as much as anybody else. Here I may be permitted to say that I am by no means sure this system of taking out judgment summonses for sending people to prison is an advantageous thing to the community. Upon this subject I would like to call attention to a very admirable article by Mr. Chambers, which appeared in the *Fortnightly Review* about three or four years ago. I will not trouble your Lordships with any observations upon the details of the Bill, which can be more conveniently discussed in Committee; but I think it might be well to say a few words upon the proposal in Section 5, in cases where the tithe exceeds two-thirds of the value of the land. I do not pretend to say whether two-thirds is the right figure, or whether three-fifths or a half would be a better. That I do not know. I am content to take the judgment of those who have considered the matter and have presented that figure to your Lordships. I want to make two remarks upon that subject. One is this, which the noble Marquess omitted in his statement in support of that clause, that the one-third which is left may very probably be consumed by rates and taxes; so that I think the third is left as a margin partly to give some temptation to the landlord to let his land, though he may get very little for it, and partly as a precaution in order that the tithe and the rates and taxes together shall not exceed the entire value of the land. There is one other remark I would make upon this head. I have suggested it before. As the matter at present stands the question would have to be considered annually. Of course, it is perfectly possible that a reasonable tithe owner and a reasonable tithepayer would go on from year to year unless there was some reason to the contrary; but what I think would be a very good thing to do would be to enable them to come to an arrangement which would last for some years, whether three, five, seven, or what not, and to safeguard it in the same way as leases granted by ecclesiastical owners are guarded. I hope I make myself intelligible. Whether it would be worth while to do that I do not know. I think it would, and I cannot see that any mischief would result from it.

*EARL STANHOPE: My Lords, I must be allowed to say a few words to express the great satisfaction with which I have listened to the noble and learned Lord's speech, partly on account of the great weight and judgment with which he comes before your Lordships, and partly because I rejoice that he has changed his views during the last year or two. Some five or six years ago I had the honour to introduce a small and very modest Bill on this subject, which was to the same effect as the measure at present before this House, namely, to try and impose the burden of the tithe upon the owner instead of upon the occupier. On that occasion the noble and learned Lord took a very strong and hostile view of my proposal, and, in fact, doubled me up altogether. Very pleased I am now to find him blessing altogether the Bill which Her Majesty's Government have introduced. My noble Friend (Lord Brabourne), who opposes the Second Reading of the Bill, will not, I trust, get much following in your Lordships' House. He has not even remained, I regret to see, to listen to the arguments of noble Lords opposed to his views. He asked, in the first place, who is it who presses for this Bill? Why, my Lords, in the interests of law and order we all wish to see the disturbances which have lately been quite a scandal in the Principality of Wales put an end to. Lord Brabourne says it is only to the application of tithes which the Welsh people object. Well, that is so; but the payment of the tithes is made the stalking-horse, and it must be in your Lordships' recollection that so grave had the position of matters become in the year 1887 that a special inquiry was instituted to make out whether or not a real grievance existed. Sir John Bridge, a well-known and leading Magistrate of the Metropolitan Police Courts, went down and made a most exhaustive inquiry and heard evidence. The result of that inquiry, which was held on the spot in the most disturbed districts, was that the alleged grievance was not a real one, and in his Report he puts one sentence which, I think, will answer one objection of my noble Friend Lord Brabourne. After hearing evidence most carefully, he says—

> "It is most important that this question of tithes should be settled at once, and not mixed up with graver questions."

That was the opinion of a gentleman accustomed to take evidence, who was not biassed one way or the other, but had in a judicial capacity heard the evidence given in the disturbed districts themselves. Further than that, I must say a few words when the question of settlement is alluded to. Your Lordships must know there has been under the Law of Distraint difficulties found to arise in this country. Distraint is an odious form of the law, and where enforced is often opposed most vigorously. I can say that has been so in the Home Counties, because distraint was felt to be a hard system, and especially so in the recovery of tithes. My noble Friend Lord Brabourne said this measure would render the County Courts unpopular if this unpopular system were connected with them. I have yet to learn that the County Courts have ever elicited much public interest. They were instituted for the recovery of small debts; and I assume that it will be very seldom that cases will arise where the remedy of application to a County Court will be invoked for the recovery of tithe. I quite coincide with the most rev. Primate's opinion that this Bill is only in part settlement of the general question. The larger question of the redemption of tithe is now before a Royal Commission, and I have every hope and confidence that some means may be found, as has been found in Ireland, by which the tithe may be spread over years, and so gradually redeemed without either being a burden to the landowner or doing any injustice to the tithe owner. I have every confidence that some measure of the kind will be carried out. I very much rejoice, and I hope it is a detail of the Bill which will remain unaltered, that two-thirds of the value is enacted in the 5th clause as the full measure for the recovery of tithe—that when no more than two-thirds of the rent is paid, one-third shall be remitted as an abatement in the collection of tithe. Another question has been alluded to, that of rating under the 3rd clause. That will, of course, come before the House in Committee on the Bill. It was raised in another place in Parliament by the hon. Member for the Ashburton Division of Devonshire. I think, though at first sight it may appear a hardship, that the Act which we all stand by, the original Act of 1836, should be altered; because, undoubtedly, that gave a sort of favoured nation clause advantage to the tithe owner, yet it is only equitable and right that all the ratepayers should be put on a similar footing. Not only in another place, but here, exemptions are not considered favourably, and therefore I think, on the whole, that that clause may remain as it is, as I believe cases will arise very seldom indeed where the rates will be demanded much before the actual receipt of the tithe. I am exceedingly glad that this Bill, which I, too, venture to think a very great improvement on the former Bill introduced by Her Majesty's Government, has received the concurrence of the House of Commons, and I earnestly hope that the Amendment of my noble Friend, though it has been ably argued and well brought forward by him, will be rejected by the House.

*THE BISHOP OF LONDON: I do not desire to detain your Lordships above a very few minutes, because everything that has been said in favour of the Bill runs very much in the direction in which I should myself have spoken if I had spoken earlier. I believe the Bill will be an exceedingly useful measure; I believe it is, on the whole, a just measure; I believe it will be a very great help to a large number of the clergy in disputes in these matters; and that it will tend very largely indeed to bring peace, where at present there has been a great deal of disturbance and trouble. It may be said that disturbances in Wales ought not to affect us here; that they have not happened in England; but the sentence—

> "Mea res agitur cum proximus ardent,"

applies to this case with a great deal of force; and when you have these disturbances in Wales, if you allow them to go on it is quite certain they will not be confined to Wales. It is the plain duty of the Government to provide against such a danger, and it is necessary to secure that the administration of justice shall be made as effective all over the country as it can possibly be made. I venture to think the method proposed is the best method that can be adopted. It is, in reality, nothing more than putting the law into such a shape as to make the real incidence of tithe visible to all concerned. It is a matter of great importance to do this, because there are so many who act upon the mere appearance of things and will not be induced to consider anything which gives the opposite impression to that which they think the law at first sight appears to convey. I shall have some observations to make upon the details of the Bill—not that I wish to say anything which would in any degree embarrass the Government in carrying the Bill through Parliament. One of the things which struck me most—namely, the operation of Clause 5—has been already dealt with in such a way that I am quite sure the Government will carefully consider the effect of that clause. But there is another thing which has been cursorily touched upon by the Primate and by Lord Stanhope just now, which I should like to say a few words about, because I have received so many earnest letters from the clergy concerning the subject. It is proposed to make a great change in the old law in regard to rating. The rate which has always hitherto been properly by law levied on the occupier is now to be levied on the tithe owner: he is to pay it directly. Your Lordships will observe by this change the tithe owner becomes what he has never been before—personally liable for the rate. At the same time you are taking great care that the landowner shall not be personally liable for the tithe; but you are putting upon the tithe owner a personal liability which is altogether new. This is entirely a new departure in the law, and, of course, ought to be very carefully considered, for it will unquestionably operate very hardly in certain cases. The landlord wants time for the payment to be made by him, but meanwhile there is no provision as regards delay in the collector collecting the rate; and I think it is only just that the tithe owner should have the same delay of three months before the rate is collected from him as the landowner has in regard to the payment of the tithe. I would like to point out that in Clause 3, Sub-section 2, it is acknowledged that the ultimate source from which the rate is to come is the landowner. The tithe rent-charge is in his hands. If it cannot be got from the clergyman the rate collector is then to have the power of taking the tithe in the landowner's hands and demanding that a sufficient portion of it shall be paid to him. I cannot see why the rate collector should not go directly to the landowner in the first instance, and tax the tithe there, instead of first going to the clergyman and then going to the landlord afterwards. Difficulty, of course, will only occur in very rare cases. In most cases the clergyman will be able to pay his rates as he has hitherto paid them, and he will pay them without demur; but when it becomes a case of real difficulty, and the man has not the money to pay, what does the new proposal mean? What is the result? Why, the rate collector is to have the power to come in and sell the poor man's property—his spoons, his crockery, and the like—in order to satisfy that rate; and then, after the poor man has been sold up, the collector is to go to his property in the landowner's hands. Why is there to be this intervening step? Why sell up the poor man first, and then go against the tithe which all the time is his property, though he has not yet received it? It is obvious, also, that the proposal may work injustice in another way, and that is in cases where there is a remission by the Court under the 5th clause. There will be the assessment upon the tithe owner already made; he will be charged a rate upon property which is not his at all, which under the law is taken from him. That seems rather a hardship. I am told that there must be hardships every now and then. That is true certainly, but I do not see why hardship should fall upon a poor clergyman in such a case. It is not merely the hardship of being required to pay a rate in advance before he has received that upon which it is levied, but of being required to pay a rate levied upon property which was supposed to be his, but which the Court may pronounce not to be his at all. I do not propose to introduce any Amendments myself in this matter; but I want to see it very carefully considered, because from the letters I have received, I know the clergy are very sore upon this matter. I have received a very large number of letters within the last few days from clergymen, and I have no doubt some consideration will be given to their complaints, and some attempt made to meet the objections which I venture to put before the Government. I regret very much that we have only the clauses contained in this Bill, instead of having in it the redemption clauses, which I believe to be almost as necessary for settlement as the questions which are dealt with by the Bill, because the mischief which is caused by the trouble and friction of collecting very small sums in the way of tithe—5s. from one man and 2s. 6d. from another—is very great indeed, and some mode of redemption, by which all those small sums should be compulsorily bought up and so the difficulty entirely put an end to—some measure of that kind is, I think, really needed to make this work complete. I cannot help feeling also that it would be a real advantage if we could still retain, at any rate in certain cases, as the Primate has pointed out, the power of seizing the land. I do not see how the power of seizing the land and working it could do any harm, at any rate in cases where the land is going out of cultivation. If it is to be given up and not cultivated at all; in such a case it seems not unreasonable that the tithe owner should be allowed to step in and see if he cannot get his tithe out of it. These, however, are matters which ought not to impede the progress of the Bill, and I am too grateful to the Government for having introduced it to have any wish to put any impediment in its way.

*THE EARL OF KIMBERLEY: I do not know whether the noble Lord opposite intends to press his Motion to a Division, but if he does, I must tell him that I shall consider it my duty to vote for the Second Reading of the Bill, and upon the one plain principle that in future it places the liability for the rent-charge on the landowner instead of directly and independently upon the occupier. If I could find anything in the details of the Bill with the object of placing the payment not absolutely on the owner, I should be in favour of the noble Lord's Motion and not for the Second Reading. Probably this Bill would never have been heard of had it not been for the unfortunate disturbances in Wales. I agree with my noble Friend opposite, who moved the Amendment, that there is no serious dissatisfaction existing in England between the payers and the receivers of tithe. As a general rule the tithe is paid freely, and, although there may have been a certain amount of grumbling, especially on account of the working of the seven years' average, which has, for a considerable time, caused the tithe to be high when prices of the produce of the land are low, I do not believe that on the whole there would have been any necessity for a change in the law, though there might have been a desire for some improvement in its operation. In passing, I may say I regret not to see in the Bill a proposal made by the Government in one particular as was done in one of the former Bills, to alter the seven years' to a three years' average. I know there was a difficulty in regard to that, but if it could have been done without injustice to present tithe owners and payers it would have been an advantage to have made a provision of that kind. While, on the one hand, a seven years' average presses hardly on the tithepayer, it presses hardly also on the tithe owner, if the prices of produce were now to rise it would be a long time before the clergy got the benefit of them, and I think, therefore, it would be much better to have a three year's average. I only mention that in passing. Apart from the principle of the Bill, which I believe to be sound, and apart altogether from the disturbances in Wales, I do not believe the Bill is of great importance as regards England. As regards Wales, I believe it is. I feel the greatest regret, as everyone must, at the state of things which has prevailed in the Principality, and I most sincerely hope that this Bill may succeed in pacifying the agitation which has prevailed there, though I have considerable doubts whether it will succeed in doing so. I am not personally much acquainted with Wales, but I should imagine that a great portion of the lettings there are from year to year, and not under lease. If that be so, under the provisions of this Bill the tithe will have to be paid, in fact, under another form, that of rent, and, therefore, I exceedingly doubt whether this will, in point of fact, persuade payers of tithe. It may to some extent lighten the difficulty, because the landlord will be interested in getting a settlement of the matter, and in some instances he may have to forego payment. If one of the earlier clauses was rightly read by the noble Lord, and if the payment is to be earmarked upon the receipt as a payment of tithe, a provision for which I do not see the necessity, then I think you will have provided for almost the same amount of friction between tithepayers in Wales, who are largely Nonconformists, and tithe owners, because they will say to the landowner: "This is for the tithe, and we refuse to pay it." That would be a result which, I think, every one would greatly deplore. It may, I think, be found in Committee that that is not the right reading of the clause, but if it be, I commend that matter to the attention of the Government, as I think it might be a serious difficulty in the measure. My noble Friend Lord Bramwell argued the question of tithes on high and somewhat abstract terms, and had we been discussing the question together at the Political Economy Club I might have agreed to a great deal of what he said; as, for instance, when he spoke of tithe not being a burden upon the land. Scientifically speaking, the arguments of the noble and learned Lord were, no doubt, perfectly true; but these matters are not settled upon scientific principles. We must deal with facts as they are. What we have to deal with here is the existence of a number of men with small holdings throughout the country, and I venture to tell my noble and learned Friend that his arguments will not be of the slightest avail with them. What everyone desires is that there should not be friction between the tithe owner and the tithepayer. I agree with my noble and learned Friend that this tithe is in no sense the property of the owners. They have no right to it, and so far from desiring to whittle the tithe down, if I may use the expression, I am as strongly against it as anyone. I am free to confess that subject to its present use by the Church I regard tithe as national property, and regarding it as national property I certainly could not be a party to reducing it below its fair and real value. With regard to what the noble Marquess said as to the present value of the tithe, which I think he came to the conclusion would probably be more if calculated according to the method employed before 1836 than under the present system, I think he omitted from his calculation one consideration, and it is this: one of the principal arguments, and a very strong and sound one for the measure of 1836, was that the tithe being levied upon the gross produce of the land discouraged expenditure in the improvement of it. That was a perfectly sound and just argument. What I would point out is this—partly from other causes and partly from the relief which has been given to landowners, very large sums indeed have been expended in improvements upon the land. Drainage, for example, has amounted to from £6 to £7 an acre, and in the East of England, where I live, which is most heavily burdened with tithes, enormous expenditure has been made upon buildings. That expenditure upon buildings and drainage must, I contend, be taken into consideration in comparing the old tithe system with the present, because, to my mind, the Church has no right, under the agreement of 1836, to look to the result of those improvements as conferring value upon the land in which the Church ought to share. Therefore, to that extent, I think the calculation of the noble Marquess should be reduced. I do not say, of course, that in some cases the amount of tithe, if calculated on the old system, would not now be more, but I think you must give full consideration to the large expenditure made by landowners for what has been necessary in the shape of permanent improvements upon the land. Now I come to what the noble Lord opposite said as regards the very heavy pressure of the tithe upon some, and especially upon the smaller landowners. I do not think it is quite a sufficient answer to say that there was a bargain made in 1836, and that a bargain having been made in 1836 there is no kind of reason now to complain. If you look at the thing as a whole, if you look at the payments to the Church and the value of the land throughout the country as a whole, I am not disposed to say that there is anything in the agreement which was then made that ought to be disturbed. I quite admit that it is a very dangerous thing to disturb particular portions of a large composition. If you disturb it on one side you ought, in strict justice, to disturb it on the other. If the Church is to be deprived of a portion of her right where the value of the land has fallen, she ought to be compensated in other cases where the value has risen. But there is one class of cases in particular in this country where the hardship is very much felt, and that is the case of land the value of which depends specially upon the price of wheat. There is some land in England which is properly burdened with a very high tithe because it produced a large amount of wheat, as is the case in the East of England; but it so happens that the greatest fall which there has been in agricultural produce has been in wheat, and land which formerly produced a very high rent for the production of wheat has fallen in value to such an extent that, as in Essex for instance, it has not been cultivated at all. There is no doubt that in the case of those particular lands the heavy tithe imposed, because they were thought to be specially valuable, does fall with crushing weight. That I think is the defence, and a very sound defence, for the clause in the Bill by which the Government intend to introduce, at all events, a certain amount of remedy for those hard cases. The right Rev. Prelate who has just sat down referred to some of the details of the Bill, and thought that in one or two of the points he mentioned they were well worthy of consideration, and there are other points of detail which, of course, at another stage will require to be looked into carefully; but as they do not involve any question of principle, I need not trouble the House on those points of detail. Sending the Bill to Standing Committee may be found to be very salutary, because the Bill contains some pitfalls—not, I think, intentionally left, but arising from there not having been sufficient consideration of the various cases which may arise, and they will require to be dealt with. There was one point specially mentioned by the noble and learned Lord Selborne as to cases in which very little would be left for the clergyman, and I quite conceive that there might be some cases in which there would be nothing left for the clergyman at all. Those are all points of detail which will require very careful consideration. Upon the whole I think the Bill will be an improvement in the law. I do not think it will be a hardship upon landlords to pay directly what they have always had to pay indirectly. They must always have paid it in the long run. Also in England I think it may remove any ill feeling on the part of occupiers that they are specially burdened. It is a singular thing that some people have conceived the notion that the burden falls upon them, whereas it is quite obvious that the burden ultimately falls upon the owner. It is a distinct advantage that the law should really and in fact correspond with the fact. That in itself would be, I submit, a useful change; but, as I said before, I am greatly afraid that the Bill may not be found to have the effect which we desire in Wales, and I hope that those parts of it which seem to press on the occupier as apparently making him pay rent in the form of tithe or anything that might tend to excite his jealousy will be carefully considered with the object of removing the difficulties which now exist, in order to render the relations between tithepayers and tithe owners less strained and to restore good feeling between them. We are all interested in seeing that order is preserved and that no more unseemly riots and disturbances shall take place, such as those which have occurred in Wales of late in these matters.

*Earl FORTESCUE: I will not detain your Lordships for many moments, but I wish to express my entire concurrence with the noble Earl who has just sat down, in considering that this Bill, if passed, as I trust it will be, is a decided improvement upon the law as it stands. I desire to say particularly that I speak with absolute disinterestedness on this subject; its passing into law will not affect either my payments or my receipts in any respect. I thought it as well that one who is absolutely disinterested in the matter should bear his testimony in favour of this Bill. The wisdom of my predecessors ever since the passing of the Act of 1836 led them, and I have merely followed their example, to undertake the payment of the tithes on their estates and thus to let their farms tithe free. The result is that there is no ear-marking of tithes in the rent and I have no intention of introducing that alteration in my dealings with my tenants. I am bound to say that though this Bill will leave me absolutely unaffected in pocket and in every respect I prefer it, speaking as I have explained quite disinterestedly to the Bill which would have given landowners the benefit of a certain per centage; because the object of my predecessors in establishing, and mine in continuing, this practice was to remove, as it happily has now for over half a century, occasions of difference and complaint between a number of tithepayers and tithe owners in the different parishes, by the landlord taking upon himself the burden of paying the tithes, thus facilitating good relations, which I am happy to say I have the testimony of several clergymen showing that it has and does, between them and those members of their congregations.

The Marquess of SALISBURY: My Lords, the Bill has been received so favourably that I am not tempted to take great advantage of my right of reply. As to giving time for the consideration of Amendments I shall be very glad to postpone the Bill to Thursday, if that will suit the noble and learned Lord in order to give sufficient time for consideration before Committee. I do not think it is necessary that I should refer to many of the observations which have been made. There is no doubt there are pitfalls in the Bill, as the noble Lord opposite (Earl of Kimberley) has just said, for the avoidance of which we must examine the clauses very carefully. No doubt they might raise serious difficulties, and none more serious than that pointed out by the noble and learned Lord, which, I think, it will tax all our ingenuity to provide a remedy for. But I hope the Bill will be rendered more workable in that respect. The Right Rev. Prelate who presides over this diocese has raised some important points, and I do not in the least dispute that in those directions we may find some Amendment necessary. I thought there was a good deal of force in his request that the clergyman should not be exposed to the demands of the rate collector until he has received the tithe for which the rate is levied. There might be some inconvenience and injustice in that respect. I should like to have considered carefully also the power of re-introduction and taking over the land. At present a receiver has the power of taking the land, and if necessity arose would probably, therefore, take it. So that practically the remedy provided by the Act of 1836 is given in this Act. Whether it should absolutely be introduced into this Act is a question which I should desire to reserve for Committee. With regard to the assessment, I hope the Right Rev. Prelate will not interfere too much with Clause 3. I regard that as a very precious clause. It provides that any rate to which the tithe rent-charge is subject shall be assessed in like manner and by the like process as in the case of any occupying ratepayer. It is within the knowledge of your Lordships that that is not the way in which tithe is assessed now, that it is assessed upon very different principles, and that the tithe owner is the one owner in the country who pays on his gross receipts. I hope that grievance will be remedied in Committee, but I hope nothing will be done which will affect the principle of the Bill.

*THE EARL OF KIMBERLEY: Does the noble Marquess mean a deduction for the cost of curates. I should object to that.

THE MARQUESS OF SALISBURY: What about the cost of collection? However, I do not think there is any other matter which it is necessary now to refer to. When we are in Committee of the whole House we shall be able to deal best with any considerable Amendments, while matters of mere detail and drafting had better be reserved for the Standing Committee.

On Question, that ("now") stand part of the Motion, resolved in the affirmative: Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

BREAD.

Address for—

"Copies of Reports recently received from Her Majesty's Consular Officers in Austria and Italy, relating to the price of bread in those countries.—(*The Lord Stanley of Alderley.*)

House adjourned at Seven o'clock till to-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 19th February, 1891.

QUESTIONS.

EX-SULTAN ABDULLAH OF PERAK.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for the Colonies whether, having regard to the fact that the ex-Sultan Abdullah, of Perak, has now been exiled for more than 14 years in the Seychelles Islands, and bearing in mind the peculiar circumstances connected with his trial, the Government are prepared to re-consider the answers given on the 5th of May and 1st of August, 1890, and to consent to re-open the case; whether, if they decline to adopt that course, they are prepared to allow him either to be set at liberty, or to visit England; and whether they are aware that Sir Benson Maxwell, formerly Chief Justice of the Straits Settlements, is of opinion that the ex-Sultan is innocent of the charge which resulted in his sentence?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Her Majesty's Government are not prepared to re-consider the decision formerly conveyed to the hon. Member against re-opening the case of Abdullah, or allowing him to visit England; but the Secretary of State is again in communication with the Governor of the Straits Settlements as to whether any steps can be taken to ameliorate the ex-Sultan's present position. It is known that Sir Benson Maxwell held the opinion attributed to him in the hon. Member's question.

DISTURBANCE AT CAMBAY.

MR. BURT (Morpeth): I beg to ask the Under Secretary of State for India whether the Secretary of State will lay upon the Table of this House all Papers connected with a disturbance which occurred in Cambay, in Bombay, in September last, in the suppression of which British troops were employed and 15 cultivators were killed, 150 wounded, besides hurt occasioned to numerous women and children, and houses and a temple looted and plundered of cash and ornaments; whether the Bombay Government have recently sanctioned the remission of increased land taxation imposed by the ex-Dewan, Mr. Shamrao Narayan Land, the imposition of which was said to be the cause of the disturbances; and whether he will grant a public inquiry into the origin of the disturbances which are alleged to have arisen through misgovernment?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Yes, Sir; the Secretary of State will lay upon the Table all the Papers relating to the disturbance which occurred in Cambay in September last. The hon. Member will find from those Papers that the description of the occurrence which has been given to him, and on which he has founded the question, is inaccurate. In answer to the second paragraph of the question, I have to say that the

Bombay Government has given instructions that will have the effect of reducing the land taxation. In reply to the third paragraph of the question, I have to say that a very full public inquiry into the origin of the disturbances has already taken place, and the result will be found in the Papers presented.

THE FACTORY COMMISSION IN INDIA.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for India whether, in view of the fact that the recent Factory Commission in India was composed chiefly of natives, and confined itself almost entirely to examination of native operatives, and did not give the millowners or managers any adequate opportunity of stating their side of the case, the Government proposes to legislate on the basis of this investigation; whether, before interfering seriously with the existing conditions of Indian factory labour, the Government will consent to have a fuller inquiry; whether, on the whole, the Commission reported against any extensive interference with the existing regulations; and whether, before any legislation is undertaken, the Report of the Commission will be issued to Parliament, and an opportunity will be given for a discussion of such proposals in this House?

SIR J. GORST: The inquiry and Report of the recent Commission were intended to supplement the information already before the Government and Legislature in India; and it is proposed to legislate on the basis of the whole of the information available. It is not proposed to have a further Commission of Inquiry at present. The recent Report of the Factory Commission was presented on the 6th of February, and is now being printed.

SIR W. HOULDSWORTH (Manchester, N.W.): Can my right hon. Friend say when the Report containing this information is likely to be in the hands of Members?

SIR J. GORST: I can only inform my hon. Friend that the Papers are in the hands of the printers, and that I am doing everything in my power to push them on.

HOURS OF LABOUR IN INDIA.

MR. KING: I beg to ask the Under Secretary of State for India whether he is correctly reported in the *Times* to have said at Chatham on Thursday, February 12th—

> "He contended that the State might very well limit the hours of labour of their own *employés*, of railway servants, those engaged in unhealthy occupations, and also of the natives employed in the mills in India;"

and whether the Government contemplates any further interference with the conditions of labour in Indian mills than is necessary for the protection of women and children, or intends, as appears to be suggested by his remarks, that all labour in Indian mills shall be placed within the category of exceptional legislation?

SIR J. GORST: The report quoted is an epitome of what I said. It is not intended to legislate for the protection of adult male labourers in India beyond providing for the fencing of machinery in factories and for the general stoppage of all work for half an hour in the middle of the day.

THE INDIAN FACTORIES ACT.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I had intended to ask the First Lord of the Treasury if Her Majesty's Government will lay upon the Table the Correspondence between the Authorities in this country and the Government of India on the subject of the Indian Factories Act? As the right hon. Gentleman is not in his place, perhaps the Under Secretary of State for India is in a position to answer the question.

SIR J. GORST: Yes, Sir. The Correspondence has not yet been laid upon the Table, because it is not yet completed; but there has already been laid upon the Table the Report of the Factory Commission, and if the hon. Member will move for the Correspondence which took place last year that also shall be laid on the Table.

SIR G. CAMPBELL: I think the House ought to be in possession of the documents by which certain views of Her Majesty's Government were pressed upon the Government of India.

SIR J. GORST: Those are exactly the Papers which I ask the hon. Member to move for. I have said that the hon. Member can have the Papers in which the views of Her Majesty's Government were pressed upon the Government of India.

SIR G. CAMPBELL: Will they be laid upon the Table in the ordinary course?

SIR J. GORST: Yes, Sir, if moved for.

THE VOLUNTEER FORCE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War if he is in a position to state the number of officers wanting to complete the establishment in the Volunteer Force; and bearing in mind the increased duties and expenses falling upon those serving by a reduced number, what steps he proposes to take in the matter?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The vacancies for officers of Volunteers are at present for 46 field officers, 161 captains, and 1,194 subalterns. This deficiency of officers is engaging my serious consideration; but it is very difficult to devise a remedy, and I shall be extremely glad to consider any suggestion my hon. Friend may have to offer.

THE MILITIA.

VISCOUNT WOLMER (Hants, Petersfield): I beg to ask the Secretary of State for War what alterations in the scale of Militia camp equipment have been made to provide greater comfort for Militiamen under canvas?

*MR. E. STANHOPE: By recent regulations tents are issued to Militia when training at the rate of one for every 10 men, instead of, as formerly, one for every 12 men; and a wooden tent-bottom or waterproof sheeting is issued for every tent, instead of the issue being limited to cases of very inclement weather.

THE SCOTCH-AMERICAN MAILS.

SIR T. SUTHERLAND (Greenock): I beg to ask the Postmaster General whether, in the event of the Scotch-American mails of Wednesday missing connection at Warrington (as they have recently done on more than one occasion), he would think fit to give orders to send these mails to London and despatch them by the German steamer leaving Southampton on Thursday?

MR. SINCLAIR (Falkirk, &c.): May I ask whether the Postmaster General has considered the feasibility of sending the Scotch-American mails to Queenstown by the Stranraer and Larne route, rather than by the Holyhead route as at present; and whether he will take into consideration the not infrequent missing of connection at Warrington as an additional reason for re-arranging postal facilities between Great Britain and Ireland by improving and further utilising that, the shortest route, between the two Islands?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the last question, I can only say that I will look into the matter and see whether any advantage can be gained by sending the mails from Stranraer. In regard to the question on the Paper, I have to say the course proposed by my hon. Friend for meeting the accidental delays to which he refers had already suggested itself to my Department, and is now under consideration. I will communicate further with him when I have made some necessary inquiries on this subject.

MR. FLYNN (Cork, N.): Has not the service from Queenstown to America given the greatest satisfaction?

*MR. RAIKES: I believe that is so Sir.

ROYAL NAVAL RESERVE.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether he has appointed a Committee to inquire into the condition of the Royal Naval Reserve; and whether the scope of the inquiry includes the Coastguard, so that the Committee can consider and report upon the whole question of Naval Reserves of all sorts; and, if not, whether he will enlarge its scope to that extent?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): In the Memorandum attached to the Naval Estimates of 1891-92 I fully explained the object and scope of the inquiries of the Committee I propose to appoint. Their work must necessarily be confined to questions relating to the Royal Naval Reserve—that is, to the officers and men of the Mercantile Marine who compose this force. It would not be advisable to mix up with this inquiry any questions affecting the officers and men who are part of the effective permanent force of the Royal Navy.

CEMETERY AT HYDE.

MR. SUMMERS (Huddersfield): I beg to ask the President of the Local Government Board whether he is aware that the Town Council of Hyde, acting under "The Public Health (Interments) Act, 1879," has applied for the sanction of the Local Government Board for a loan to provide a cemetery in the borough, and that such sanction has been refused on the ground that the Town Council has not agreed to the consecration of part of the cemetery; and whether, inasmuch as the Public Health (Interments) Act leaves the question of the provision of consecrated ground to the discretion of the Sanitary Authority, he can state on what legal authority the requirement of the Local Government Board is based?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The Town Council of Hyde have applied to the Local Government Board for sanction to a loan in respect of the provision of a cemetery for the borough. A local inquiry was held by an Inspector of the Board, and it was represented that a large proportion of the ratepayers were members of the Church of England, and that it would be an injustice to them to require them to pay for a cemetery which would not be used for burials according to the rites of the Established Church unless a part of the land was consecrated. The Board were desirous that some arrangement should be adopted by which the reasonable objections of those who protested against sanction to the loan might be met, and the Inspector of the Board again visited the district with the view of conferring with representatives of the Town Council and the clergy. After this conference the Bishop and the clergy of the borough, as I am informed, distinctly pledged themselves that, if a portion of the cemetery were consecrated, the control of that portion should remain with the Town Council, and that any expense arising from the consecration should be borne by the Church people of the borough. I regret to say that this arrangement has not yet been accepted by the Town Council. I feel strongly that in the face of such protests as I have received it would be inequitable that the ratepayers who are members of the Church of England should be required to defray the expense of providing a cemetery which, on the ground of conscientious objections, will not be used for burials according to the rites of the Established Church, and the Board have not been prepared to make themselves a party to such an arrangement as would have been the case if they had sanctioned the loan. I cannot but hope that on further consideration the Town Council will come to the conclusion that the compromise which has been proposed is a reasonable one, and that the objection which has been urged on behalf of a large proportion of the ratepayers may thus be removed.

MR. SUMMERS: Am I to understand, then, that the Local Government Board insist on a condition which is not in the Act of Parliament?

*MR. RITCHIE: No money can be borrowed for these purposes by a Town Council without the sanction of the Local Government Board, who, in considering an application for a loan, have to consider all the circumstances of the case. I do not feel justified in assenting to a course which, in my opinion, is manifestly unjust to a large portion of the population.

MR. SUMMERS: Do I understand that the Local Government Board insist on foisting into an Act of Parliament a section which is not contained in it?

*MR. RITCHIE: The hon. Member is not to infer anything of the kind.

HOUSE OF COMMONS READING ROOM.

MR. HOWORTH (Salford, S.): I beg to ask the First Commissioner of Works whether his attention has been called to the extremely crowded and inconvenient character of the Reading Room, where it is often impossible to secure a seat or even standing room; and whether he can see his way to providing a more suitable apartment where Members can consult the newspapers?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I did provide an additional Reading Room on the Terrace a short time ago; I am sorry to say that I have not any space at my disposal for another.

THE NEW MILITARY PROMOTION BOARD.

GENERAL GOLDSWORTHY (Hammersmith): I beg to ask the Secretary of State for War whether, as the system of selection for the rank of Colonel and Major General is now gradually coming into operation, he is able to give the House any details as to the constitution of the new promotion Board which is to be established?

*MR. E. STANHOPE: I am not surprised that my hon. and gallant Friend has called my attention to this matter, which is of great importance. I am afraid it would not be possible to explain the constitution of the proposed Board within the limits of an answer; but I will deal fully with the subject in the statement I am about to make to the House.

CIVIL SERVICE SUPERANNUATION.

MR. LEAKE (Lancashire, S.E.): I beg to ask the Chancellor of the Exchequer why the undertaking of the Government, made through the Leader of the House on the 22nd of August, 1889, on the withdrawal of the Superannuation Bill, that it was "their deliberate intention to legislate upon the whole question at the earliest possible moment next Session," was disregarded, and legislation superseded by an Order in Council of 15th August, 1890, dealing with the Upper Division of the Civil Service; why Civil servants who were appointed before the date of the Order in Council, who have been justly exempted from the operation of Section 4, and whose rights have been reserved in Section 7 of the Order, have not also been exempted from the operation of Section 10, which provides for the compulsory retirement of officers at the age of 60; and whether, seeing that the Order in Council practically violates the undertaking of the Government to promote Civil Service reform by legislation, and has prevented the case of the Civil servants being discussed in the House, he will remove the widespread dissatisfaction of the Service by amending Section 10, so as to maintain the rights of all officers engaged before the date of the Order in Council?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Some portion of the recommendations of the Royal Commission on the Civil Service could be carried out by Order in Council, and others could only be dealt with by a Bill. The only reason for not proceeding by Bill in 1890 was that there had been insufficient time at our disposal, as every hon. Member will acknowledge; but we were not prepared to let the whole question drag on, and we therefore proceeded to deal, as we were entitled to do, by Order in Council with so many of the recommendations as would not require fresh Parliamentary powers. Civil servants appointed before the date of the Order in Council were exempted from so much of the operation of the Order in Council as would have clashed with the previous practice or their previous claims, but they were not exempted from the possible retirement at the age of 60 (a recommendation of the Royal Commission), because it was only a formal statement of existing practice. It is now competent for the head of a Department to call upon any officer in the Department to retire at the age of 60. Heads of Departments have for years exercised their power, and in some Departments it is a formally promulgated rule of service. It is, therefore, impossible to amend Section 10 in the sense desired by the hon. Member.

LICENCES UNDER THE INTOXICATING LIQUORS ACTS.

MR. ROWNTREE (Scarborough): I beg to ask the Secretary of State for the Home Department if his attention has been drawn to a statement made by George Thorp, one of the clerks to the Manchester Justices, in the case of "M'Ewan *v.* Justices of Manchester," reported in the *Manchester Guardian*, 11th November, 1890, as follows:—

> "I may say that I see scores of these little bogus documents produced at each Court."

The documents referred to being those which the police obtain from each person who applies for a licence under the Intoxicating Liquor Acts, and which are duly sworn to; and also to a letter from the Chief Constable of Manchester, dated the 11th February, 1891, and published in the local Press, in which he states—

> "These documents contain information regarding the ownership, and various interests which the applicant may have in the premises for which he applies for a licence or transfer, and such information is only contained in the agreements between the applicant and the brewer or owner of the premises. . . . I have little doubt that in many cases the answers are untrue, but it would be quite impossible for the police to prove them to be so;"

and if he will inquire into the state of affairs so described, in order, if the statements are true, to provide means to check such abuses?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have had my attention drawn to the statements referred to. It appears that the Manchester Justices are accustomed to require from applicants for licences answers upon oath to a variety of questions which they consider material for their judgment. The clerk to the Justices and the Chief Constable are both of opinion that in many cases untrue answers are given, but that it would be quite impossible to prove them to be so, as no evidence whatever is forthcoming. It is not possible for me, or for the Director of Public Prosecutions, to procure evidence in such cases; and it is for the Justices to insist on the production of further witnesses or to make further inquiries, or to refuse the application in any case in which they think they are being misled.

NEWFOUNDLAND FISHERIES.

MR. STAVELEY HILL (Staffordshire, Kingswinford): I beg to ask the Under Secretary of State for the Colonies whether any protest has been received from the Colonial Government of Newfoundland against the *modus vivendi* agreed to by Her Majesty's Government with reference to the fishery rights claimed by France on the coast of Newfoundland; whether Her Majesty's Government will seek to enforce that *modus vivendi;* and if they will lay upon the Table of the House the Correspondence and other Papers on this subject?

BARON H. DE WORMS: Papers which are about to be presented will show what has occurred, and the steps which are being taken by Her Majesty's Government.

MR. STAVELEY HILL: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has refused to ratify a Convention entered into between the Colonial Government of Newfoundland and the United States; whether the Colonial Government has protested strongly against this refusal; and if Her Majesty's Government will lay upon the Table of the House the Papers in this matter?

BARON H. DE WORMS: A colony cannot enter into a Convention with a Foreign State. Her Majesty's Government assented to Mr. Bond, a member of the Colonial Government, visiting Washington for the purpose of communicating the views of his Government and seeing what terms of arrangement could be made. A Convention acceptable to the colony and to the United States was drafted, but Her Majesty's Government have delayed (not definitively refused) to authorise Her Majesty's Minister at Washington to sign it, because it is necessary to consider further the wishes of Canada and the effect on Canadian interests of the provisions of the draft Convention if now concluded independently of Canada. The Government and Legislature of Newfoundland have strongly protested; and the Papers, now in preparation, which will shortly be presented, will show the reasons for which Her Majesty's Government do not think that protest justifiable.

MR. S. HILL: When may we expect the Papers?

BARON H. DE WORMS: As soon as possible.

MR. S. HILL: Within a few days?

BARON H. DE WORMS: I cannot pledge myself to the exact date.

MR. BRYCE (Aberdeen, S.): Will the right hon. Gentleman give an undertaking that the Colonial Vote will not be taken until hon. Members have had an opportunity of seeing the Papers?

BARON H. DE WORMS: I think the Papers are sure to be printed before the Vote comes on.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether, when the sanction of the

Imperial Government was given to the mission of the Hon. R. Bond to Washington on behalf of the Government of Newfoundland, it was clearly understood that no arrangement could be come to with the United States on the part of one portion of the Empire which should be directly prejudicial to other portions; whether Papers can be presented to Parliament explaining Mr. Bond's mission; whether he can also present further Papers on the general question of Newfoundland, in continuation of those presented last June; and whether such Papers would give any further information as to the progress of negotiations for the friendly settlement of the French Shore controversy?

BARON H. DE WORMS: This question does not state correctly the conditions under which the negotiations referred to were conducted. A full explanation of the position of Her Majesty's Government in respect of these matters was given by the Secretary of State on the 17th in another place, and will be found in the Papers about to be given.

DISCHARGED AND RESERVE SOLDIERS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether he will favourably consider an increase in the grant to the National Association for the Employment of Discharged and Reserve Soldiers, taking into consideration the fact that the Inspector General of Recruiting attributes the falling off in recruits to the want of employment for old soldiers, and that this is the only institution in the country which provides employment for reserve and discharged men?

*MR. E. STANHOPE: I should be very glad to help this deserving institution, but, after full consideration, the Government find this difficulty in the way. The total expenditure of the Association of late years has not been much over £500 a year. To increase the Government grant from £200 to £500 a year would practically amount to a transfer of the whole of the current expenditure of the institution to Votes of Parliament. We have also found that, concurrently with the receipt of a Government grant of £200, the outside subscriptions have steadily dwindled from £633 in 1886-7 to £314 in 1889-90. The principle we desire to lay down is that the institution must be supported by outside subscriptions supplemented by a Government grant bearing some proportion to the subscriptions. Personally, I shall be glad to co-operate with my hon. and gallant Friend and others interested in gaining increased public support to the institution; and I hope that the prospect of success will be all the greater if it is understood that the Government will be inclined to meet it by an increased contribution.

PETROLEUM.

MR. PINKERTON (Galway): I beg to ask the Secretary of State for the Home Department if he is prepared to submit to the House a tabular statement of the number of fires which have occurred during the last year traceable to the storage of petroleum lamp oil; also the number of fires which have been traced to petroleum spirit, already safeguarded by stringent legislative control; and fires arising through defective lamps, or through accidents to lamps; and if he is in a position to state how much additional cost per gallon this proposed enactment will entail upon the poorer classes, who are the principal consumers of petroleum lamp oil?

MR. MATTHEWS: I have not the materials to supply a full and complete tabular statement of the number of fires due to petroleum spirit and defective lamps. None of the classes of fires referred to are required to be reported to the Home Office. I am not prepared to admit that the use of petroleum spirit is already sufficiently safeguarded. I am informed by the Chief Inspector of Explosives that there seems no reason to anticipate that the cost of petroleum lamp oil will be sensibly, if at all, increased by the proposed legislation.

NATAL.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for the Colonies whether, inasmuch as the Australian Colonies passed Acts establishing Responsible Government, in pursuance of Acts of the British Parliament enabling them to do so, there has been, or will be, any such enabling Act for Natal; whether Her Majesty's Government are advised that the Colonial Legislature can establish Responsible Government, and Her Majesty's assent can be given without reference to Parliament; whether Her Majesty's Government have led the Colonial Legislature to believe that they are willing to advise assent to Responsible Government, practically confined to a white population of about 37,000, out of a total of upwards of 500,000; what would in that case become of Zululand, and who would pay for it; and whether, looking to the civil and military questions involved, Her Majesty's Government will give Parliament an opportunity of discussing the matter before anything final is done?

BARON H. DE WORMS: No legislation by this Parliament is necessary for the purpose of conferring Responsible Government upon a colony, unless there has been Imperial legislation with regard to such colony requiring modification in order to enable the political change to be made. The Colonial Legislature has been informed that, subject to the enactment of special provisions for the protection of inhabitants not of European birth or descent, Her Majesty's Government are willing to grant Responsible Government to Natal. Zululand will remain under the direct control of Her Majesty's Government. No military or civil questions present themselves in this case which would afford ground for the unusual course of inviting Parliament to discuss this subject. When Responsible Government was granted to the Cape Colony in 1872 the procedure was the same as is now being followed in Natal, and the Imperial Parliament did not intervene. Papers will be presented, which may satisfy the hon. Member that the points to which he has called attention have not been overlooked.

SIR G. CAMPBELL: In consequence of the statement that the Government intend to deal with this important subject without inviting Parliament to consider it, I shall, on the Estimates, move the reduction of the Under Secretary's salary.

SWINE FEVER—COMPENSATION FOR SLAUGHTERED CATTLE.

MR. FELLOWES (Huntingdonshire, Ramsey): I beg to ask the President of the Board of Agriculture whether, taking into consideration the great loss which is entailed on farmers, small holders, artizans, and others, through swine fever, he can see his way to advise the payment of increased compensation for animals which have been slaughtered, and especially when the animals slaughtered are free from disease themselves?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I think there is much to be said for the view which the hon. Member has embodied in his question, but until I can obtain fuller information on the subject than I have at present I cannot express a definite opinion. It must be borne in mind that the value of the animals varies greatly in different districts. The subject is being inquired into.

MR. H. GARDNER (Essex, Saffron Walden): Is it the fact that the compensation for the slaughter of swine is not uniform all over the country?

*MR. CHAPLIN: That is a matter which rests entirely with the Local Authorities. The maximum of compensation is uniform all over the country.

BETHNAL GREEN BANK.

MR. HOWELL (Bethnal Green, N.E.): I had intended to ask the President of the Board of Trade whether his attention has been called to the failure in February, 1889, of the "Bethnal Green Bank," in which the deposits amounted to a total of or about £10,000; whether he has been informed that the effects of the bankrupt, Mr. T. F. Braybrook, and the estate of the "Bank" realised the sum of £4,000; whether any portion of these assets have been distributed to the depositors; if so, how much; and, if not, will he explain for what reason; and whether he can inform the House what the total costs of the bankruptcy proceedings have been, and what amount is left for the depositors? At the request of the right hon. Gentleman, I beg to postpone the question until Monday.

INHABITED HOUSE DUTY.

MR. STOREY (Sunderland): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the appeal "The Surveyor of Taxes, *v.* Amelia Hobkirk," which is a case of appeal against the decision of the local Income Tax Commissioners to relieve the said Amelia Hobkirk, who is the owner of a tenemented house, from payment of Inhabited House Duty, under the Act of 1890; whether he is aware that the said house was originally built for two tenants, having a common door in the street, but separate tenants upstairs and down; that the house is now, and has always been, inhabited by two tenants, each paying less than 7s. 6d. per week; whether this is a case expressly provided for by Sub-section (2), Section 26, of the Customs and Inland Revenue Act of 1890; and whether he will state why the Government have acted thus towards this house owner, the decision of the local Income Tax Commissioners, who know the facts, and the intentions of the above-named Act?

*MR. GOSCHEN: The Board of Inland Revenue consider that the decision of the local Income Tax Commissioners to relieve the owner of the tenemented house mentioned from House Duty is incorrect, as they do not think that the house is one

> "Originally built or adapted by additions or alterations, and used for the sole purpose of providing separate dwellings,"

so as to bring it within the scope of Section 26 (2) of the Customs and Inland Revenue Act of 1890, there being internal communication throughout. A case has accordingly been demanded, under the statute, for the opinion of the High Court; and the hon. Member will see that it would not be proper for me to answer his inquiry as to whether this is a case expressly provided for by the Act, inasmuch as that is the precise point on which the opinion of the Court is desired.

WEST HIGHLAND COMMISSION.

COLONEL MALCOLM (Argyllshire): I beg to ask the First Lord of the Treasury whether he can give any indication of the course the Government intend to pursue with regard to the recommendations of the West Highland Commission?

*MR. GOSCHEN: In the absence of my right hon. Friend I will answer the question. I must refer my gallant Friend to the answer given by the First Lord on this subject on the 29th ult., who then stated that until we came to the House for the necessary funds, we were not in a position to furnish any useful information as to the decision of the Government on the West Highland Commission's Report; but, meanwhile, I can assure him that the subject is under our earnest and immediate attention, and, no later than yesterday, my right hon. Friend, the Secretary for Scotland, and myself were engaged in the final consideration of some of the principal recommendations of the Commission.

THE FACTORY ACTS.

SIR HENRY JAMES (Bury, Lancashire): I beg to postpone my question—(to ask the First Lord of the Treasury whether it is the intention of the Government to move the Second Reading of the Bill for the Amendment of the Factory Acts before Easter?)—in consequence of the absence of the right hon. Gentleman.

REFORM OF THE HOUSE OF LORDS.

MR. BRYCE (Aberdeen, S.) postponed until to-morrow the following question:—To ask the First Lord of the Treasury whether Her Majesty's Ministers propose to bring in in the present Session the Bill for the reform of the House of Lords which they introduced in 1888, or in any other manner to give effect to the Resolution, to which they then declared that they attached much importance, to introduce some change in the composition of that House?

DETECTIVE OFFICER FRENCH.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if there is any truth in the statement that Detective Officer James E. French received money to the extent of several thousand pounds from the Constabulary Force Fund; and, if so, how much, and for what reason; whether Mr. J. E. French's costs in the action brought against him by William O'Brien, Esq., M.P., were defrayed from this fund, either wholly or in part; and, if so, what the expenditure under this head was; and what sum was paid Mr. J. E. French for his public services, and whether any of this money came from the Royal Irish Constabulary Force Fund?

MR. JOHNSTON (Belfast, S.): May I ask the Chief Secretary to state at the same time whether the costs in the action brought by Mr. William O'Brien against the Marquess of Salisbury have been defrayed from any fund?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary authorities report that the statement in the first paragraph of this question is wholly unfounded. The reply to the inquiry in the second paragraph is a negative. Mr. French received only the pay and allowances attached to the positions he held in the Force and voted annually by Parliament. The sole grants received by him from the Constabulary Force Fund were obtained by him when serving in Belfast in 1870 and 1871, being rewards of £20 and £10 respectively given on the recommendation of the Reward Board for good police service.

GREYSTONES HARBOUR.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary to the Treasury if he is aware of the slow progress being made with the Greystones Harbour Works; and if he can state how many men, on the average, are employed daily upon them, when may the fishermen expect to see them finished, and what is the cause of the delay in carrying them out?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am informed that there has been no delay in connection with the Greystones Harbour Works, beyond that which is necessarily incurred in carrying out works of this kind. I believe that every progress that can be made with the works will be made. There is no reason or desire for delaying them, and they will be got on with as fast as possible.

ARRESTS UNDER THE CRIMES ACT.

MR. O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give a list of the persons arrested under warrants issued from the Court constituted under the Criminal Law and Procedure (Ireland) Act, and presided over by Mr. Brady, R.M., at Castlerea, County Roscommon, showing the hours at which the arrests were made, and distinguishing the cases in which summonses were served before the warrants to arrest were issued?

MR. A. J. BALFOUR: I must ask the hon. Member to defer this question until to-morrow

Mr. Johnston

STREET PREACHING IN ARKLOW.

MR. WILLIAM CORBET: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the continuance of street preaching in Arklow every Sunday, to the serious disturbance of the peace of the town, whether any representations have been made to him with the object of having a stop put to these occurrences; whether he is aware that recently an assistant of the street preachers presented a revolver at a person who objected to the preaching; whether it is true that on Sunday last 130 soldiers and 150 police were drafted into the town to preserve the peace; and whether he will do anything to put a stop to these disgraceful scenes in the otherwise peaceful town of Arklow?

MR. A. J. BALFOUR: Representations have been received in regard to the continuance of street preaching in Arklow. I understand that a man has been returned for trial for presenting a revolver. It is the case that on Sunday last two companies of infantry and 150 police were drafted into the town to preserve the peace. As regards the last paragraph of the hon. Member's question, I have to say that the greatest exertions have been made by the Government to secure the peace of the town. Whether it will be possible to continue indefinitely these extraordinary precautions, and, if not, what steps should be then taken, remains for consideration.

POLICE BARRACKS AT FORT STEWART.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is intended to make permanent the police barracks at Fort Stewart in Donegal, which was established for a temporary purpose?

MR. A. J. BALFOUR: The Constabulary report that the barracks have been taken on a yearly agreement, and they see no reason to recommend that they should be discontinued.

THE 1ST MANCHESTER REGIMENT.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Secretary of State for the War Department whether he is aware that the Colonel commanding the 1st Manchester Regiment, stationed in

Tipperary, issued orders to the men of the regiment that they were not to partake of any refreshment in the house of John A. Carew, grocer and spirit merchant of that town; that on the 4th instant, two soldiers, having entered the premises of Mr. Carew, they were placed under arrest, stripped of their belts, and put under charge of the picket, but subsequently released because of their ignorance of the Regimental Orders; whether any charge of misconduct has ever been brought against Mr. Carew in the management of his house; and what is the reason for Mr. Carew's house being forbidden by the Military Authorities?

COLONEL WARING (Down, N.): May I ask whether the Order issued by the Commanding Officer in question is not strictly within his power, and whether it would be conducive to good order and discipline to interfere with his discretion in such matters?

MR. E. STANHOPE: As I have already stated, the Commanding Officer of the 1st Manchester Regiment did forbid his men to resort to the house of Mr. J. A. Carew in Tipperary; but I am informed that the soldiers were not arrested under the circumstances alleged in the question. In reply to the question of the hon. and gallant Member (Colonel Waring), it is within the province of any Commanding Officer to forbid any soldier from visiting any particular house in the locality if their so doing would, in his opinion, be injurious to discipline. The officer in command of the Manchester Regiment has simply exercised this power.

MR. J. O'CONNOR: Would it not be fair for the right hon. Gentleman to give me and the House some information as to the reason why this house was forbidden to the Manchester Regiment? Does not the right hon. Gentleman consider it rather a slur upon Mr. Carew as to the management of his house? Mr. Carew desires, through me, to say that he challenges any investigation with regard to his conduct. I want to know also whether the two men in question were not put under arrest by Sergeant O'Brien, and whether the right hon. Gentleman will receive affidavits or statements made by several men who were present, and who witnessed the two men being placed under arrest?

MR. E. STANHOPE: I decline altogether to go beyond the discretion of the commanding officer. That discretion was vested in him. If the hon. Member thinks it worth while to send me affidavits I will look into them. I believe the commanding officer exercised his discretion in the matter.

ST. MICHAN'S CHURCH, DUBLIN.

MR. MAC NEILL (Donegal, S.): I beg to ask the Secretary to the Treasury whether his attention has been directed to a letter of the Rev. Thomas Long, M.A., rector of St. Michan's Church, Dublin, appearing in the *Irish Times* of 16th January, 1891, stating that the tower of St. Michan's Church is in a dangerous condition and fast going to decay, but that the Ancient Monuments Board will do nothing for its repair unless the Church Body will consent to to give up the use of this tower to them; whether he has seen a letter in the *Spectator* of the 29th November, from Mr. W. G. S. Bagot, commenting on the defects of the administration of "The Ancient Monuments Protection Act, 1882," and stating that out of a sum of £150 voted by Parliament for the year 1889-90 for the preservation of ancient monuments in Ireland, only £1 7s. 6d. was actually spent on them, the balance going back to the Treasury; and whether he will take some step, either by the amendment of the law or otherwise, so as to prevent the tower of St. Michan's Church, which was built in 1036, and is from its historic associations one of the most interesting structures in Ireland, from falling into ruin from want of funds for its repair, when moneys voted by Parliament for the preservation of ancient buildings are actually paid back to the Treasury?

MR. JACKSON: The Tower of St. Michan's Church is, I am informed, in a dilapidated condition; but as the church is in the custody of the representative body of the Church of Ireland, and is used as a place of worship, the Commissioners of Public Works have no power to expend Public money on its repair. The works necessary for the preservation of the ancient monuments which have been placed under the guardianship of the Commissioners of Public Works, under the Ancient Monuments Protection Act, 1882, have been carried out under the supervision of Sir Thomas Deane, an architect who has devoted much time and attention to the subject, and to whose professional reputation it is not necessary for me to add my testimony. I am not aware of the qualifications possessed by the correspondent of the *Spectator* for criticising Sir Thomas Deane. The sum of £150 voted in 1889-90 was not expended, as the owners of the monuments on which it was proposed to expend it declined to permit any work to be carried out in connection with them.

MR. MAC NEILL asked whether any of the large surplus of the £5,700 placed in the custody of the Board of Works, to be expended by them on ancient monuments in connection with buildings which formerly belonged to the Irish Church, could be devoted to repairing St. Michan's Church?

MR. JACKSON said the difficulty was that this money could only be applied to monuments which were under the care of the Board of Works. The law would have to be amended to enable the money to be applied to a case such as this, but he would be glad to consider the subject.

THE OLDCASTLE BOARD OF GUARDIANS.

MR. MAHONY (Meath, N.): I beg to ask the Chancellor of the Exchequer whether he is aware that the Oldcastle Board of Guardians have erected 154 labourers' cottages within the Oldcastle Union, County Meath, at a cost, including legal expenses, of about £137 10s. per cottage, for which they have to pay to the Treasury an annual sum of £6 2s. 7d., that, in addition, they have to pay various annual charges, including the rent of the land, amounting to £1 10s. 6d. per cottage; and that, although these cottages are let to labourers at a weekly rent of 1s., entailing a loss to the union of £5 1s. 1d. yearly for each cottage, the Income Tax Authorities claim Income Tax on each house; and whether, having regard to the circumstances of the case, he will take steps to remit the tax in this and similar cases?

*MR. GOSCHEN: I am informed that the Oldcastle Board of Guardians have been properly assessed to Income Tax on the Poor Law valuation of the cottages in question. But upon their proving that the cottages had been built with money borrowed from the Board of Works, and that the interest on this money exceeded the net profit on the cottages, instructions were given to charge the tax upon the head rent alone; and the Guardians will, of course, be entitled to deduct the tax in the usual way when paying the head rent to the superior landlord, so that no portion of the tax will really fall on them.

*MR. BARTLEY (Islington, N.): Will the same rule be adopted in the case of all labourers' cottages where the taxes and charges are in excess of the rents received?

*MR. GOSCHEN: The hon. Member had better give me notice of that question.

IRISH DAY SCHOOLS.

MR. CONDON (Tipperary, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will grant the Return relating to Irish Day Schools which stands on the Paper this day?

MR. A. J. BALFOUR: I am afraid that it will not be possible to give the Return asked for, as no record has been kept.

POSTAL FACILITIES BETWEEN SLIGO AND BALLINA.

MR. PETER M'DONALD: I beg to ask the Postmaster General whether he has received a resolution of the Board of Guardians of Dromore West, County Sligo, urging on him to lay a line of wire from Ballina *viâ* Enniscrone, Easkey, and Dromore West to Ballysodare, so as to give facilities for telegraphic communication between Sligo and Ballina and the intermediate towns: and whether he has come to a decision thereon?

*MR. RAIKES: In reply to the hon. Member, I have to say that the Board of Guardians of Dromore West requested that telegraphic communication might be established between that place and Ballina *viâ* Easkey and Enniscrone, and that I have had careful inquiry made with a view to ascertain whether it would be possible to meet the wishes of the applicants. I regret to say that, from the Reports I have received, it appears that the revenue likely to be derived from telegraph offices at Dromore West, Easkey, and Enniscrone would fall considerably short of the annual cost of maintaining and working the telegraphs. The applicants may, however, be prepared to furnish a guarantee; and the necessary information shall be furnished to them to enable them to consider the matter.

IRISH DISTRESS.

MR. MORROGH (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a resolution passed by the Courcey's district, Kinsale Union, in which it is stated that—

> "Considerable distress is likely to prevail in this district,"

and for the purposes of preventing the same, the meeting was of opinion that—

> "No work would be more calculated to meet the requirements than the construction of a pier at the strand near the Old Head of Kinsale;"

whether he is aware that this work would be of permanent advantage to the locality; and what attention he is prepared to give the subject?

MR. A. J. BALFOUR: A copy of the resolution in question has been received and is engaging attention.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has instituted any works to relieve the distress in the unions of Loughrea and Portumna; and, if so, will he state the number of persons employed; and whether he has received resolutions, about two months ago, from the people of Woodford, in the Loughrea Union, demanding employment to meet the distress occasioned both by the almost entire failure of the potato crop and the great number of evictions carried out by Lord Clanricarde in the district?

MR. A. J. BALFOUR: No relief works have been opened in the unions mentioned, nor do the Government expect that such will be necessary.

MR. SEXTON (Belfast, W.): Will the Government give a table showing the extent and population of the distressed areas and the number of men employed on railways?

MR. A. J. BALFOUR: If the Member will put on the Paper the form of the Return he desires, I will consider the matter. I think there will be no difficulty in supplying the particulars asked for, except that the amount of employment varies from week to week, and a Return for one week might be very inaccurate the next.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received a copy of a resolution recently passed at a meeting held at Cliffony, County Sligo, and presided over by the Very Rev. W. Crofton, P.P., calling attention to the general failure of the potato crop in that district, and to the consequent necessity of providing employment for the people, so as to enable them to purchase other food during the ensuing spring and summer, and further calling for the construction of a light railway from Sligo to Bundoran; and whether he is able to authorise the construction of the proposed railway? I also wish to ask the Chief Secretary whether he has received a Memorial, signed by over 600 ratepayers of the County Sligo, in favour of the construction of a light railway between Arigna and Collooney; and whether he is in a position to authorise the construction of that railway?

MR. A. J. BALFOUR: A copy of the resolution referred to has been received, and the district is engaging attention. With regard to the railway suggested in the question, and a railway between Arigna and Collooney mentioned in the second question, I fear I ought not to hold out any hopes that the Government will be able to undertake them.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he requested an interview at Letterkenny with the Most Rev. Patrick O'Donnell, Lord Bishop of Raphoe, a favour which was accorded to him by that Prelate; whether his attention has been directed to the Lenten Pastoral of the Bishop of Raphoe, in which his lordship complains that, although an investigation into the wants of the people had been instituted and work and wages promised to them, these promises have not been fulfilled, and asks is employment to come to the people when they have been broken in health and spirits; and whether the Government intend to take any steps in the near future towards developing the resources of Donegal?

Mr. A. J. BALFOUR: I have not seen the Pastoral referred to. Some 700 or 800 men are given employment on relief works. The Government are engaged on two railways in the county, the length of which will be about 43 miles, the cost of which will be about £220,000 or £230,000. Donegal will also share in the advantages which will, I hope, be conferred on the poorer parts of Ireland by the congested districts portion of the Land Bill. If the hon. Member will point to any Government which has done one-tenth part as much to developing the resources of Donegal I shall be grateful to him.

Mr. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the severe distress in the parish of Ardara, in the County of Donegal, there being no fuel and no potatoes, and no credit being given to the people to buy meal; whether this parish was one of the districts through which he passed last November, and to whose inhabitants he gave promise of relief works; and when he will fulfil his promise to institute relief works in this district?

Mr. A. J. BALFOUR: Relief works are already in progress in the district adjoining the parish of Ardara, and if further works are necessary they will be undertaken.

Mr. MAC NEILL: Is the right hon. Gentleman aware that in his recent visit to the district he gave a distinct promise to the parish priest of Ardara that he would repair the roads?

Mr. A. J. BALFOUR: I have already given the hon. Gentleman a clear answer to his question.

BELFAST GAOL.

Mr. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Corporation of Belfast have protested against the proposed alterations of Her Majesty's Prison in that city, upon the ground that they

> "Will not only have the effect of injuring the appearance of the prison itself, but affect the uniformity of the frontage line of the buildings in the neighbourhood, deteriorating their value, and causing a public eyesore;"

whether, nevertheless, the Prisons Board have refused to alter the plans; and whether the Government have made up their minds to use the power of the Crown in this case to override the rule of municipal law and the decision of the Local Authority?

Mr. A. J. BALFOUR: The Irish Government are in communication with the Prisons Board on the subject.

THE OLPHERT ESTATE EVICTIONS.

Mr. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the report of the prosecution at Bunbeg, County Donegal, on 13th January, of District Inspector Hill, and Sergeants Reynolds and Clarke, and other constables and emergency men, on a charge of riot and assault, on the occasion of the evictions on the Olphert Estate on 15th November last, in which the Magistrates, Messrs. Hamilton, R.M., and Beresford, R.M., held that Sergeant Reynolds and Clarke, and three constables, and three bailiffs, had been proved to have thrown stones continuously at the house from which Mr. M'Ginley was being evicted, but that the stone-throwing was, under the circumstances, justifiable; and whether he still adheres to the following statement, made by his authority, in a letter to an anonymous correspondent, directed from 4, Carlton Gardens, dated 25th November, and published in the *Morning Post* of 4th December, with reference to this occurrence—

> "Mr. Holliday makes certain serious allegations against the police. As reported by you they are somewhat vague, but if he intended to state that the police threw stones at the people, or acted as emergency men, or went beyond their duty in protecting those who were carrying out the evictions, Mr. Balfour desires me to say that Mr. Holliday is stating what is not the fact."

Mr. A. J. BALFOUR: I have caused inquiries to be made into the matter, and I find that the letter referred to was written by my authority on the date mentioned. Unfortunately, no researches have enabled me to recover the letter to which it was a reply; but though I am thus prevented from speaking with certainty on the point, I have no ground for supposing that my statement was in any way either inaccurate or calculated to convey a false impression to my correspondent. It appeared, not by my direction and without his letter, in a newspaper some time after it was originally written. In that shape the correspondence is unquestionably ambiguous and possibly misleading, and if it has caused any misunderstanding I regret that misunderstanding.

MR. PERCY MAGAN, J.P.

MR. HAYDEN (Leitrim, S.): I beg to ask the Attorney General for Ireland what steps were taken to recover from Mr. Percy Magan, J.P. for the Counties of Roscommon, Westmeath, and Wexford, the amount he was alleged to have obtained under the Arrears Act of 1882 by false representations; what amount, if any, has been recovered, and in the case of what tenants; what amount of rent was sworn by Mr. Magan to be due by these tenants up to 1st November, 1881; what is the actual amount which has been found to be due; whether any inquiries have been made as to whether money may have been similarly obtained in the case of other tenants on the same estate; has Mr. Magan's conduct in this matter been brought under the notice of the Lord Chancellor; does he still hold the Commission of the Peace and act as a Magistrate; have any steps been taken to prosecute Mr. Magan and recover the penalties provided under the Arrears Act; and in how many cases have prosecutions under the Arrears Act been instituted; what were the charges, and what was the result?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University) said an action was brought by his directions against Mr. Magan at the suit of the Crown under the provisions of the 7th section of the Arrears Act of 1882 to recover two sums of £31 and £15 respectively, paid to him by the Land Commission in respect of two tenancies. Mr. Magan did not defend the action, and the amount was paid over to the Land Commission. The application under the Arrears Act was a joint one by the landlord and the two tenants, and the amount sworn by both landlord and tenants to be due up to 1st November, 1881, was given as £62 in the one case and £31 in the other. The result of an investigation showed that in the former case £15 10s., and in the latter one nothing, was legally recoverable by the landlord from the tenants at the date of the claim. The residue was made up of a penal rent which was certainly reserved by lease, and might, as contended by the landlord, have been due, but it was not recoverable as between landlord and tenant at the time of making the claim. It appeared the applications were verified by the tenants as well as the landlord, and the Commission had now no reason to make any further inquiries. The answers to paragraphs six and seven were in the affirmative, and the answer to paragraph eight in the negative. He had come to the conclusion that the case was clearly not one for a criminal prosecution, but for a proceeding, the nature and result of which he had stated. He was informed that there had been three prosecutions for misrepresentations under the Arrears Act. In two of these cases there had been convictions and sentences of one and two months respectively, whilst the third case was dismissed.

MR. SEXTON said the right hon. Gentleman had found that Mr. Magan had defrauded the State, that he had made no defence to the action brought against him, and he desired to know did the right hon. Gentleman approve of a person who had so acted continuing in the Commission of the Peace?

MR. MADDEN said the hon. Member was not to draw the inference from his statement that there had been any defrauding of the State. There were complicated transactions in regard to a penal rent between Mr. Magan and the tenant, and he (Mr. Madden) came to the conclusion that the claim of the landlord was in law unsustainable, and the amounts he claimed were not recoverable. He did not come to the conclusion that Mr. Magan and his tenants had entered into a conspiracy to defraud the State. If he had come to that conclusion he should have directed a criminal prosecution against the landlord and the tenants. He did not, however, come to that conclusion.

MR. HAYDEN: Is there any foundation for the statement that a penal or any other rent was due?

MR. MADDEN repeated the terms of his answer. He said the transaction was a complicated one, but it did not follow that there was anything in the nature of a fraud on behalf of the landlord or of the tenants.

Mr. SEXTON: We shall claim on the Vote for the Civil Service the discharge of this gentleman from the Commission of the Peace.

Mr. M. KENNY: Why did the right hon. Gentleman reserve the investigation of a complicated case of this description to himself, and not give Mr. Magan the opportunity of clearing his character before a Bench of Magistrates?

Mr. MADDEN said the matter was brought before him, and very properly as the result showed. He came to the conclusion that, under the Act, the amount paid to Mr. Magan was recoverable from him. He accordingly brought an action against him, which Mr. Magan did not defend, but paid the money. He also came to the conclusion that there was no conspiracy to defraud the State, and the matter ended.

Mr. HAYDEN: On my furnishing the right hon. Gentleman with documents showing that no rent was due whatever, will he further inquire into the matter?

[No answer.]

THE WHITECHAPEL MURDER.

Mr. HOWORTH (Salford, S.): I wish to ask the Home Secretary whether his attention has been called to certain paragraphs published in the public Press purporting to be a statement from the wife of the man Sadler, now on his trial for murder, and if such statement has not a tendency seriously to prejudice the case; whether, also, it is not contempt of Court, and if the right hon. Gentleman will see his way to interfere to prevent the publication of such statements, which are calculated to bring about a failure in the administration of justice?

Mr. MATTHEWS: I am sorry to say I have not been able to see any papers to-day, and, therefore, have not seen the paragraph in question. I think it is very much to be regretted that the newspapers should seek to gratify public curiosity by publishing any statement not made upon oath with regard to a case pending before a tribunal of the country, especially when those statements are prejudicial to the accused. I will not take upon myself to assert more than this, not having read the paragraph; but I do not hesitate to say such a publication does seriously interfere with the proper administration of justice.

ELECTORS REGISTRATION (ACCELERATION) BILL.

Mr. COBB (Warwick, S.E., Rugby): May I ask whether it is intended to proceed in Committee to-night with the Electors Registration (Acceleration) Bill, which is the Second Order on the Paper? The Government have undertaken to give ample notice of their Amendments before the Committee stage shall be taken, and I would urge that sufficient notice has not yet been given.

Mr. RITCHIE: There is no intention of proceeding with the Bill to-night. In fact, having regard to some of the Amendments which have been put upon the Paper, it is extremely doubtful whether the Government will be able to proceed with it at any time.

LICHFIELD CATHEDRAL [LORDS].

Ordered, That the Examiners of Petitions for Private Bills do examine the Lichfield Cathedral Bill [Lords] with respect to compliance with the Standing Orders relative to Private Bills.—(*Mr. Talbot.*)

ARMY GUNS (RIFLED IRON, AND STEEL).

Address for—

"Return, showing the number, description, name of designer, place of manufacture, and actual cost of the various Rifled Iron, and Steel Guns supplied by the War Department to the Naval and Land Service during the year 1889-90, showing whether each Gun is Land or Naval (in continuation of Parliamentary Paper, No. 400, of Session 1890)."—(*Mr. Duff.*)

MESSAGE FROM THE LORDS.

That they do communicate Statement of the total fees of the House of Lords on each unopposed Scotch Private Bill since the year 1885, as desired by The Commons.

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY RECRUITING.

(5.0.) MR. HANBURY (Preston): I desire to call attention to the pay and position of the non-commissioned officers and privates of the Regular Forces. I have had once or twice, perhaps more than once or twice, placed on the Paper notices hostile to the administration of the War Office, or, at all events, to particular departments of it; but, this Motion is not offered with any intention of that kind, and I hope my right hon. Friend will not deal with it in a controversial spirit. The Motion deals with the facts admitted by all who take an interest in the Army—facts which will have to be faced sooner or later, and the sooner the better. We have had, within the last two or three years, serious intimations that the supply of recruits has been falling off. We find that in 1885 we were able to recruit 39,500 men; in 1886, 39,000; in 1887 the number dropped to 30,700; in 1888 it fell still further to 24,700; but in 1889, under the extreme pressure of lowering the standard, it rose to 29,000. Last year it was 31,400, or nearly 8,000 a year less than it was five years ago, and we have 34,000 to be recruited during the present year. I think this decrease in the number of recruits available constitutes a very serious fact, and it becomes the more serious when we take it in connection with the fact that there is an increase in our land frontiers, which therefore require a larger Army to defend, and that our wealth also is enormously increasing, so that what has to be guarded by the troops becomes more valuable as time progresses. We have, too, an increasing population, yet we cannot get a larger number of recruits. It is rather difficult at the present time to ascertain the exact increase in the number of men of military age, because the Census Reports only give the ages in periods of five years. We know that between 1871 and 1881, the population of men between 15 and 25 years of age, grew at the rate of 43,000 a year, and I think it is only a fair and reasonable estimate to state that at the present moment the population of the military age—that is between the ages of 18 and 25—is increasing at the rate of 30,000 a year. With such an increase in the number of men from whom we naturally expect to draw our recruits, the fact remains that, notwithstanding the inducements of every kind offered by the War Office, we are unable to enlist the number of men we require yearly. Undoubtedly, men now have a fuller knowledge of the conditions of service, and can tell whether a military life is, or is not likely to suit them. During the last year we have had almost despairing appeals sent out from the War Office to the officers at recruiting districts praying them to use every means to attract men into the Army. The Inspector General of Recruiting himself gives a most remarkable instance of it. He tells us that there is immense difficulty in getting 1,000 men a year for so popular a force as the Foot Guards, although 15 non-commissioned officers are stationed on recruiting duty at the most favourable spots throughout the Kingdom, and although special terms are offered to the recruiting officers at regimental districts, seeing that 5s. is given for a recruit for the Guards, while only 2s. 6d. is given for a recruit for the Line. In addition to all this, we have what is a much more serious matter, and that is the almost ridiculously reduced standard both of height and chest measurement. I find that in 1870, the last year of long service, the standard for Infantry stood at 5ft. 8in. What is it now? The Foot Guards themselves last year reduced their standard from 5ft. 8in. to 5ft. 7in., an inch below what was the regular standard of the whole of the Infantry during the last year of long service. But putting the Foot Guards on one side, how about the other branches of the Service? I find that Artillery gunners have reduced their standard from 5ft. 6in. to 5ft. 5½in.; the standard for Drivers has been reduced from 5ft. 4in. to 5ft. 3in., and the chest measurement of 34in. is put down to 33in. I do not know what sort of a soldier you can get with a chest measurement of that kind. Your present Infantry standard is 5ft. 4in., with a chest measurement of only 33in., and a weight of 115lbs. One would think that that is as far as the authorities would have ventured to go. But will the House believe that this is merely a nominal standard, and by no means the real standard. I was surprised to see in the Report of the Inspector General of Recruiting last year that over 6,000 men—or rather boys—between the ages of 18 and 19, who were below this standard were actually passed into the Army, below a height of 5ft. 4in., and having less than a chest measurement of 33in. I am sorry to see that exactly the same thing has been going on during the last year, although, unfortunately, the Inspector General of Recruiting does not give us the figures. I do not think the War Office Reports should gloss over matters of this kind. We should have the figures put plainly before us, so that we might know the exact number of these utterly worthless recruits. I hope that in the course of his speech the right hon. Gentleman the Secretary for War will give us this information. It must be recollected, too, that these men whom we do not get in sufficient numbers, do not represent the total number of recruits. They are really the cream of the recruits, for they are those who pass into the Army after two selections have taken place. A certain number are first rejected by the recruiting sergeant, and then we find that no fewer than 47 per cent. were rejected by the medical officer. Yet I repeat that with all this you do not get a sufficient number of recruits. In 1890 the Establishment was short of a little over 4,000 men, and I am sorry to say that in January, 1891, it was short of 4,692 men. That, of course, is the Establishment of the Regular Forces. It is a startling fact that even with this ridiculously low standard we cannot keep up our Establishments. Then what about the other branches of the Service? If the Regular Army is short of men how about the Auxiliary Forces, to which we have to look to support them? I find the Militia are 1,865 less than last year, and 22,559 below the Establishment. My right hon. Friend says the Yeomanry are stationary; but the expression with regard to that force means a very bad state of affairs, because although the Yeomanry Establishment should only be 14,000 strong yet its present strength is 3,500 below that number. The Volunteers, too, have fallen off in number by 3,000. I believe that, to some extent, is due to the weeding out of inefficient men, possibly a step in the right direction. And with regard to the Militia, it is necessary to bear in mind that even with their reduced numbers no fewer than 28 per cent. of the men were absent from training altogether. Again, I find another source of difficulty in the facts dealing both with men entering the Service and men who are at the end of their service. These facts bear upon recruiting, as it were, at both ends of the scale. I find that 1,313 purchased their discharge within three months, against 1,042 in the same period in the preceding year, so that it does not look as if the Service is becoming most popular. Again, the number invalided was at the rate of 9·7 against 6·5 per cent. in the previous year, and it does not appear, therefore, as if we were getting stronger men into the Army. I am sorry to say that that is the conclusion at which the Inspector General of Recruiting has himself arrived, for he says that even the reduction of the standard has made no appreciable difference to the number of recruits. Then, again, take the men leaving the Service. Only 20 per cent. of the men leaving the reserve join again for the supplemental reserve, and thus in five years we have lost 38,000 men, a most invaluable body on whom we might have relied for fighting our battles. The Inspector General of Recruiting, while admitting these facts, suggests the possibility that we shall have to pay our soldiers more money in the future. If we are obliged to do so I believe there is nothing within the scope of the Army Estimates upon which the people would most willingly expend money than the pay of the private soldier. Undoubtedly, a great deal of money is spent in our Army Estimates, and a great deal of it is wasted; but I think that an increase of pay is our last resource. Let us see whether there is not some other inducement which can be offered to men of good physique and character to join the Army. The other day I came across an article in a magazine by an officer who knows more about private soldiers and takes more interest in them than any other man living. I refer to General Sir Frederick Roberts. He wrote an article in one of the magazines so long ago as 1884, and I am sorry to say that hardly one of the recommendations therein made has been attended to. He laid great stress upon the uncertainty of a soldier's position, and especially a non-commissioned officer's position. He laid stress, too, upon the fact that a soldier is more or less deceived when he enlists in the Army. That is a very strong statement for a man in his position. He says that under the present system there is no *esprit de corps* in the Army. If that is true, it is an alarming state of things. He says the Army does not offer now, as it used to do, a career to good soldiers. That, too, is a lamentable state of things. Then, again, he says the social *status* of a soldier is not what it should be. There are a good many bad characters in the Army, and they are not driven out as rapidly as they ought to be. Then he mentions a whole series of petty annoyances, such as an unnecessary amount of "sentry-go," an almost ridiculous amount of drill, and a mania for mere parade movement. If all this be true it appears to me that a good deal might be done before we are reduced to the necessity of raising the soldier's pay. What is it Sir Frederick Roberts has to say upon this question? He lays great stress upon the uncertainty of a soldier's pay. I believe this is a grievance which is felt by officers as well as by men. They say that by the constant issue of royal warrants it is utterly impossible for a man to know what his position is from day to day.

The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): Will the hon. Member give an instance?

Mr. HANBURY: I believe my hon. Friend the Member for one of the London divisions has a Motion on the Paper with regard to the position of officers, which raises this very question.

Mr. E. STANHOPE: But will the hon. Gentleman give me an instance with regard to private soldiers?

Mr. HANBURY: No, I cannot do that, but I can quote the words of Sir Frederick Roberts. He says that he has time after time wanted men to take stripes, or desired a sergeant who has completed his term to remain in the Army, and the reply has been, "No, Sir, we do not wish to stop in the Army any longer; it is the uncertainty that is driving us out of it." I shall be willing to show that quotation to my right hon. Friend if it will have any effect upon him. But what is far more serious than the uncertainty of pay is the fact that you do not keep good faith with the soldier after you enlist him. The soldier after all is not a keen lawyer. He is not a highly educated man, and as Sir Frederick Roberts says, "he is misled by the pamphlets which invite him to join." He takes the language of the posters, and these posters tell him that on his joining the Army the soldier is supplied with clothes and free kit, and whilst in the performance of his duty he receives a daily free ration of meat and bread. But although the soldier is led to believe he will get a free kit and free rations, we know very well that that it is not what is meant. We are told that he ought not to be satisfied with reading the posters, but should go to the post office and get a pamphet that describes the advantages of the Army. But if he were to read the pamphlet I do not know that he would be any the wiser. What does the pamphlet say? It says that in addition to money wages the soldier receives a ration of bread and meat, lodging, fuel, light, medical attendance for himself, and, if married, for his family. That on joining the Army he is supplied with a complete outfit of clothing and a free kit, and afterwards he is supplied periodically with the principal article of clothing without charge, but that he is required to supply his own under-clothing and other necessaries and to pay for repairs as well as for groceries, vegetables and washing, but not for his bedding. Now, let us take the question of food. The ration is valued at sixpence, but I should think it only represents one-half or two-thirds of soldiers' food in the course of the day.

Colonel NOLAN (Galway, N.): One half.

Mr. HANBURY: My hon. and gallant Friend says it only represents one-half. Then I think it ought to be made very distinct in the posters and pamphlets that a free ration only means one-half of the food a man requires. I have no doubt a man gets an adequate supply of bread. It is in the matter of meat that he falls short, for certainly the three-quarters of a pound (including bones) which is provided cannot be considered sufficient for youthful and growing recruits. Then it is questionable whether a soldier gets all he is entitled to. The contracts are not always given to the most respectable or responsible men.

They are given to the men who will supply at the cheapest rate; and the year before last I find that the average contracts for the whole Army was only 4d. per pound. That is a very low rate. I believe there are documents in the War Office which would convince my right hon. Friend that before the meat reaches the soldier a good deal of pilfering goes on. Then, again, some of it is spoiled by bad and inefficient cooking. Would it not be possible, in order for the soldier not to be misled in any way, for the Government to supply him with the whole of his rations? That would reduce the uncertainty of his position. Now, I will go a step further, and take the case of his lodgings. The soldier is told by the pamphlet that he is going to have free lodgings, but he would not assume from the words of the pamphlet that he practically takes the barracks upon a repairing lease.

Mr. E. STANHOPE: No, no.

Mr. HANBURY: It is all very well for my right hon. Friend to call "No, no," but in the first place a soldier has to pay a considerable sum for barrack damages, and what galls him more than anything else is the belief that the money he pays does not go to repair the damages. Either the Government is unfairly treating the soldier, or somebody is dealing unfairly with the Government. Again, take the case of fuel. Has not a soldier to buy it in the winter?

Mr. STANHOPE: No.

Mr. HANBURY: My right hon. Friend says he does not, but the evidence is that a soldier has to buy a considerable amount of fuel in the winter time. Then, again, take the question of medical attendance. He is told he is to have medical attendance free. I am not quite sure, but that if he had his full pay and free medical attendance it might not lead to a great deal of shamming and malignering, but that might be carefully guarded against, and I do say that the deductions from a soldier's pay ought not to take place when he is in hospital from no fault of his own. The regulations already provide that if he is in hospital suffering from wounds or from illness contracted during service in the field, he is not to be subjected to these stoppages; and I say that that provision should be extended to every soldier who goes into hospital through no fault of his own—suffering, perhaps, from inflammation of the lungs caught while on sentry-go. Again, the man is promised a complete outfit of clothing, together with periodical renewals of the principal articles of clothing. But what interpretation do the War Office put upon that regulation? They say that a shirt is not a principal article of clothing. Will my right hon. Friend deny, therefore, that a soldier's shirt has to last for seven years? Then my right hon. Friend will not deny that a soldier has to pay for his sea-kit when he embarks on board a vessel, and also for a great part of his Indian uniform when he goes to India. Is that in accordance with the promise of the War Office? I was present at a lecture at the United Service Institution a little while since, when an officer from Woolwich gave some very interesting statistics on this point. He took the case of a driver in the Horse Artillery who was sent to India. By the time the voyage was completed and he had been in India two months, his pay would have amounted to £5 7s. 6d., but out of that he would have been called upon to pay £3 8s. 10d. for clothing. Surely that is distinctly contrary to the promise made to the soldier that he shall have a free kit. Again, the soldier is promised the use of the library free. But he does not get it free; he has to pay so much a month. I know the War Office contribute a certain amount—I think it is £2 10s. 0d. per Company per year—towards the support of the library. But why is it not stated to the recruit that he will have to pay for the use of it? Then, again, he is told that he will have an opportunity of learning a trade. But we know that, with the exception of mounted branches, in which trades are taught useful to the War Office itself, and with the exception of some few regiments, there are no workshops for the men, and no inducements are held out to them to learn a trade. The teaching of a trade to a soldier is, perhaps, the most important thing in connection with his recruiting, and one of the things that is more likely to act as an inducement to him to enlist than anything else. I hope, therefore, fuller opportunities will be offered men to learn a trade when they get into the

Army. Then comes the question of clothing. Soldiers feel a very great grievance in regard to the return into store of their old clothing. Knowing, as I do, what becomes of the clothing, what a miserable sum is paid into the Exchequer every year for the old clothing of the Army—a sum of, say, £40,000 or £50,000. Knowing the way in which the clothing is disposed of to a ring of Jew contractors, and the way in which the Army is disgraced by the use of worn-out uniforms by sandwich men and others, I do say it would be wise to grant to the soldier the small boon of letting him use his old clothes for the more dirty work he has to perform, and thus save him many a 6d. or 1s., to the extent of which he is now out of pocket. There are many other complaints in connection with clothing. It is utterly impossible to drive into the mind of the soldier that it is fair and wise that he should pay for non-expired clothing. He often thinks a coat is a great deal more worn than the War Office think it is, and that he has to pay a great deal more for the non-expired portion of its use than he ought to pay. He does not understand either why, when he has supplied himself with clothing at his own cost and it is lost, he has to refund the War Office for the unexpired portion of its use. Could not a great many of these grievances be swept away? Why not find a soldier a full and sufficient kit at starting, and give him enough money to keep him in clothes during his time of service? Such a system would teach men carefulness, cleanliness, and thrift. Another point on which Sir Frederick Roberts lays great stress is the want of *esprit de corps* in the Army. Sir Frederick Roberts says—

> "Instead of being able to settle down in some corps and make it his home, he must be prepared to join a strange battalion in the East and West Indies, as if he had no more feeling than a bale of goods. He finds himself suddenly separated from his friends and acquaintances, and being thrown amongst an entirely new set of men has, so to speak, to begin the world again."

Sir Frederick Roberts adds, that even the smartest man in the battalion has to go, and all the thanks he gets is to hear himself spoken of as "one of that wretched draft we got the other day from the home battalion." It is perfectly clear that if comradeship and love of regiment is to have any influence in the Army, this system is about the worst you can adopt. Again, I do think that if you are going to make the Army popular, you must get fewer bad characters in it. I believe that if you got more men of good character in the Service, even if you paid them more, you would save in the end, as you would have fewer desertions and less imprisonment. Sufficient care is not taken to keep up the social status of the soldier. We are too ready to recruit anybody we can get. I have already said we are too ready to recruit men who are physically unfit for service, and it is a still greater evil, to my mind, to recruit men who are morally unfit. I would much sooner see the Army short of a few thousand men if, as a result, we got a better class of men than we do now. No doubt a large proportion of those who enter the Army now are men of good character; but a few bad men, a few fraudulent enlisters will carry mischief, evil, and insubordination from one battalion to another, and these are the men we must take every possible means of keeping out of the Army. I do not know how we are to accomplish this. We have done away with branding, and I would not advocate returning to it, but if some mark—even if it were only a vaccination mark—were placed on all men in the Army, from the officers downwards, you would know that you were not recruiting men who had fraudulently enlisted. If you cannot do this you might send Army recruits to one or two large stations where they would be likely to be recognised if they had been there before. You will have to deal also with the question of drunkenness in the Army a great deal more thoroughly than you have done up to the present. Drink is the cause of 19-20ths of the crime in the Army. I do not know whether the right hon. Gentleman has taken any steps with regard to the sergeants' mess. From all I can hear the sergeants' mess which originally was intended to add to the position and dignity of the sergeant, has been for a great many years used as a mere dram shop. If the right hon. Gentleman will study the recent work of Colonel Buckstone he will find that one of the greatest curses in the Army is the sergeants' mess. Although they are forbidden to do so the sergeants serve men with drink during the forenoon, and make a profit because they sell at enhanced prices. How the evil of drunkenness is to be grappled with I do not quite know, but I think a check would be put upon the amount of liquor consumed in the sergeants' messes—it is out of all proportion to what the sergeants require for themselves—if the drink was bought through the Canteen Fund, and the bills paid as they ought to be by some commissioned officer. I also believe you would prevent a great deal of the drunkenness if you were to feed the soldier a little better. I have a keen suspicion that drink after all is the cheapest form of food the unfortunate soldier can find. It is not that he has any inclination to drink when he enters the Army, but he finds he is not properly fed. Having to buy his food he buys the cheapest, which he finds to be drink. I think this is a great argument why you should take the whole of the provisioning and rationing of your soldiers into your own hands. Again, if you are to raise the moral standard of the Army you will have to give the soldier more privacy. At present the soldier can hardly be by himself for a single hour in 24. He dines and sleeps in the same room. I find that 45 years ago a most important Commission set to inquire into the proper way of re-arranging our barracks, and the first recommendation they made—the one they laid most stress upon—was that soldiers should have a dining room distinct from their sleeping room. That is the case in some barracks, and I hope that in the new barracks he is building the right hon. Gentleman will see that the private soldier has separate dining and sleeping rooms. Whether you can grant him that or not there is at any rate one thing you ought to grant him: it is what is granted to every soldier in the German Army and in the English Army in India. At present the private soldier has no means of putting his things under lock and key. He has only a shelf and bag, and if you have bad characters in the regiments there is a good deal of stealing and pilfering. The recruit's kit especially is liable to plunder, and the recruit is not the man to dare to make his grievance known. Moreover, what career does the Army offer to a man? Sir Frederick Roberts says you have deliberately chosen the worst system, both for the convenience of the soldier and the interest of the country. He points out that seven years with the colours is not a short enough period to give you an adequate Reserve and it offers no career to the soldier. He takes the case of the artisan who joins the Army just at the time that he would be about finishing his apprenticeship. When he has spent seven years in the Army it is too late for him to begin work again. The same with the labourer. When he leaves the Army he cannot find employment, and is dissatisfied with his lot. Then there is the loafer. You might make something of him; but you treat him in the same way as the artisan and labourer, and he goes back to be a waif and stray. And you actually give £21 when a man, after seven years' service, leaves the barracks. You induce men by every means in your power not to make the Army a career. The bulk of the men, who have not learnt habits of thrift, spend the £21 in drinking and debauchery, and possibly in two or three days it is all gone, and when it is gone they cannot re-enlist because they cannot pay back their Reserve money. These men form the army of scarecrows who go through the country under the name of Reserve men, doing more than anything else to deter decent men from enlisting in the Army. And what is your Reserve? It has now been in existence 20 years. In 1870 you had 20,000 Reserves, and now you have 58,000. 6,000 or 7,000 have joined by means which are not usual; that is to say, they have been allowed to leave the colours before the seven years had expired, in order to enable you to form a large Reserve. You have only obtained the increase of 38,000 during 20 years. How many of the 38,000 are trained? None of them are trained. How many will turn up if necessity arises? To begin with, how many are in the Militia? That is a fact about which we ought to have some information. I think if we had all our Militia and Reserves called out at the same time, we should find that men belong both to the Militia and Reserves. I also wish to say a word upon the question of pay, I believe that deferred pay is to a great extent wasted. At any rate, if you are going in the last resort to increase the pay of the soldier, I do not believe the Army Estimates need be one penny bigger. There are many ways in which you might retrench. Deferred pay is one way. The great clerical staff is another. Some of the honorary colonelships are another. The great expense incurred in moving troops from one place to another is another. It is right that regiments should have the best quarters in town, but I hope that the building of new barracks will obviate the necessity of a frequent moving of troops. There is one set of men to whom you must pay more than you do now, and they are the non-commissioned officers. The non-commissioned officers are the very backbone of the army. Their responsibility now is very great; under the old system, when the non-commissioned officers were very old soldiers, I am afraid the subalterns threw a great deal of work on them, which ought properly to have been performed by others. If such a system worked with old seasoned soldiers, I doubt whether it will work with young soldiers under the territorial system; especially, you should do everything you can to enhance the condition of the non-commissioned officer. He often comes from the same neighbourhood as the privates, he may meet the privates when he goes home on furlough, and it is essentially necessary he should be able to enforce discipline. Then, again, there are certain payments with regard to the non-commissioned officers which ought to be attended to. A lance-corporal, for instance, ought under the regulations to receive 3d. a day extra during the whole time he is lance-corporal, but I understand that as a matter of fact he only receives the same pay as a private soldier. How can he exercise discipline under such cases? Take the case of a man who has gained good conduct pay. If the man becomes a sergeant, I am told his good conduct pay is stopped. That surely ought not to be done. I am actually informed that the total pay of the married sergeant, whose wife is unable to do any washing for the company, is less than the pay of the married private, whose wife can do washing. The importance of the non-commissioned officer in the Army is so great that everything ought to be done, even by increased pay, to get them to remain longer in the Service. It may even be necessary to increase the pay of the private soldier. What is the pay of the private soldier? I have heard different statements: I have heard different commanding officers draw up different scales. The War Office make it out that a man is able to put by 4s. 3d. at the end of the week. I think the sum is more like half that amount. People compare soldiers to porters and others, putting aside altogether the fact that a soldier may sacrifice his life and sacrifices his liberty to an extent which hardly any other person does except, perhaps, the private servant, who has his wages and all found. Taking figures of the War Office, the soldier only gets between £12 and £13 a year and all found. Would you get a man-servant for £12 or £13 and all found? Although I do not advocate it, I believe you would do the right thing for the Army and a popular thing in the country, if you were to offer greater inducements, such as those I have mentioned, and even by raising the pay of the soldier get better men to join the Army. The private soldier cannot strike like the average labourer; he cannot make his grievances heard like the average labourer, and yet he gives his life to the service of his country as the average labourer does not. The English soldier takes a part in war that no other private soldier does. Most of our great battles have been soldiers' battles, and the private soldier in the English Army runs a greater risk of losing his life than the private soldier in any other Army in the world. This is especially the case with picked men. This country is almost perpetually engaged in small wars, and therefore picked men run greater risk than men in other Armies do. Under such circumstances, we have a right to demand that the Government shall make the soldier's position as comfortable as they can. I do not only deal with the question of pay; I go further, and say you are bound to raise the social *status* of the soldier, to drive the bad out and get the good men into the Army. The honourable nature of the service counts for something, and there are no soldiers in the world called upon to fight more honourable battles than the soldiers of the British Army; they fight for defence of their country, for the commercial position of this country, upon which the trade and welfare of their fellow-subjects depend. Proper means, therefore, should be taken to remove this slur from the Army. Let the Army occupy as proud and honourable a position as the Navy, and there is no profession in the world to which a man should be more proud to belong.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the increasing competition of civil employment, the present conditions of Military service urgently require to be so far modified as to provide a more regular and adequate supply of suitable recruits,"—(*Mr. Hanbury*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(5.30.) MAJOR RASCH (Essex, S.E.): In seconding the Motion I propose to do so with extreme brevity, and without any technicalities and details that can be avoided. The stereotyped War Office reply to these complaints is that though the conditions of life for the soldier leave much to be desired, yet he is better off than when the present Secretary for War took office, or much better off than in the Anti-Crimean War period. That may be so; but what we say and what General Rock, the Inspector General of Recruiting, says is, we cannot get good men for recruits while the rate of pay compares so unfavourably with the rate of wages in the labour market. The soldier does now serve under better sanitary conditions—except, perhaps, in the Royal Barracks, Dublin—he is better looked after. We know that in the Anti-Crimean period, he received a bounty of £4, and then his kit cost him £6, and stoppages were levied at the rate of 1d. a day for three or four years. Things are different now, and though the stoppages are sufficiently heavy, they are not so bad as they were. We know that 40 years back the old soldier had 2d. a day to live upon, and he now gets 5d.; that he has better quarters, recreation rooms, and his rations, though deficient in quantity, are better in quality than in former times. Yet the soldier is not happy, and I appeal to the recruiting test as indicating a grave dissatisfaction with the present state of things. Forty years ago we could get as many men as we required of the height of 5ft. 10in., with a chest measurement of 35in., and now we have to reduce the height to 5ft. 4in., and the weight to 8st. 2lb.; the class of men we get are extremely indifferent, and even then we cannot get enough, for there were 5,000 short on January 1, 1890, and this year I believe we are 2,500 short. I propose, if the House will permit me, to call attention to the grievances which the soldier has to submit to during the three periods of his existence; that is to say, when he enlists and does his soldier's duty, when he passes into the Reserve, and after he has been discharged. The first grievance he suffers, when he becomes a recruit, is that whereas he expected free rations he finds he does not get them, and so he feels he has been done, as he has been. He begins his service with a grievance, and he does not forget it all the time he is under the colours. There are several other minor grievances with the details of which I will not trouble the House, but which spring from the red tape and hide-bound way in which the Army has been managed for years past. Some of these hide-bound regulations have been relaxed by the influence of the present Secretary for War, especially in reference to passes and furlough, but several grievances remain. One is that when sent on foreign service a soldier is charged 13s. for a sea kit and the dress he wears on ship board on a voyage to India, the Cape, China, or elsewhere. Now, the soldier does not go to please himself; he goes in obedience to orders; and, therefore, it is rather hard that he should be mulcted in the sum of 13s. for the clothes to wear on duty. Then there is another point in reference to time-expired clothing. It does not sound like a very big thing, but it gives rise to much complaint, and gives considerable trouble to officers commanding regiments. I fail to understand why a soldier should not keep his old time-expired clothes. He might use them on shipboard, instead of having to pay 13s. But he is forced to give them up, and the only object I can see is to put a certain amount of money into the pockets of Jew contractors who buy them, and pay an infinitesimal sum into the War Office. The clothes go on to the backs of sandwich men in the streets, or they are sent to the East End, put under a "devil," as it is called, worked up into shoddy, and exported to South America. Very little out of the whole transaction goes to the Government. Another and more serious grievance is that the men are only half-fed. This is a matter which has frequently been brought before the attention of the House by my hon. Friend the Member for Aberdeenshire; but the House cannot be too often reminded that, although some £17,000,000 sterling are annually voted to the Army, yet the men are kept in a state of almost semi-starvation. The daily rations given to the soldier are 1 lb. of bread and ¾ lb. of meat. I do not advocate an increase of the meat rations, for probably that would be too expensive, and the right hon. Gentleman would not entertain it; but the pound of bread is certainly insufficient, and the result is that the young soldier of 18 years of age, whether he is big or little it does not matter, eats all his bread for breakfast and dinner, and gets nothing else from 1 o'clock one day until 7 o'clock the next morning. It is absolutely useless providing the soldier with moral books, recreation rooms, bagatelle boards, and all the rest of it, while he has a vacuum under his belt which he cannot fill with bread and cheese, for the stoppages in his pay will not allow of it. Then there is the last grievance the soldier suffers when he enters the Reserve, or when he is discharged. All the other questions I have mentioned, or that my hon. Friend the Member for Preston has alluded to, are but "leather and prunelli," are as nothing compared with the grievance there is in want of employment for Reserve men and discharged soldiers. There is an institution called "The National Association for the Employment of Discharged and Reserve Soldiers," the Chairman of which is Sir Donald Stewart, and the secretary Lieutenant Colonel Boyes. This Association has spent some £400,000 in the course of five years in assisting Reserve and discharged soldiers to obtain employment, and the Government aid the Society with a grant of £200. To-day I ventured to ask the Secretary for War if this grant could be increased, and I confess I fail to understand the argument in his reply that, because the public do not come in with their subscriptions, and the funds of the Society are at low water, therefore, it is impossible for the Government to increase this miserable grant of £200. Last year, with a stroke of the pen, the right hon. Gentleman gave the Volunteers £190,000. I have no objection whatever to that, but surely it is the duty of the Government to find employment for Reserve men. There are about 450,000 men who have passed through the Army. Of these some 59,000 are in the Reserve. 100,000 have emigrated or have died, and some 300,000, roughly speaking, are scattered over the country seeking work, haunting the docks, crowding the casual wards of our workhouses, tramping the streets, and generally bringing the Army into discredit and disgrace, because the Government will not assist in finding employment for these men. "General" Booth says—and I suppose it is possible to believe some of his statements—that, taking a sample of 2,000 men at the East End, he found that fully two-fifths of them were discharged soldiers. To the Reserve men the Government say, "Here is your 6d. a day; we do not want to be troubled with you unless you are called out; you must not leave the country." So the Reservist, unable to find employment, wanders over the country and becomes a scarecrow and terror to recruiting wherever he goes. The result of all this is that the standard of recruits has to be lowered, with the alternative of not getting any at all. It has been reduced to such an extent that absolutely we cannot get men big enough to work the guns of the Garrison Artillery, and the height for drivers in the Engineers has been reduced to 5ft. 3in. Indeed, special men are taken at a height below that, and men are enlisted not much bigger than the African pigmies of whom Stanley has written. The worst of it is that in the last 10 years the standard has been gradually going back, and the fact is that in this country there is every component requisite for an Army except the men. An Army which relies upon voluntary enlistment depends upon its popularity, and that popularity it will never have until the men are better fed, better treated, until their general *status* is raised, and they are not, at the end of service, cast off like an old shoe. There is hardly a respectable man now to be found entering the ranks. ["No, no!"]

I take my stand on the Report of the recruiting officer. Notwithstanding a redundant population, the ranks are being filled with men of 5ft. 3in. and 5ft. 4in., and unless the Government increase the inducements to enlist by providing for the employment of discharged soldiers the Army will not get a better class of recruits than it get to-day.

MAJOR RASCH: May I be permitted to explain that when I said just now that respectable men were not enlisting, I meant men of respectable physique? I was making no reference to moral character.

*(5.45.) COLONEL NOLAN: I support the Motion though I do not agree with the hon. Member who moved it in all the details of his speech. I hope the time has arrived when something may be done. I do not attach much importance to certain points of administration raised by the hon. Member. Taking the case of rations, I have always found less complaints in the Artillery and Cavalry than in the Infantry. When the hon. Member said the extra messing cost 1s. 3d. of the value of the rations, I thought this might be true for the Infantry, but one-half would be nearer for the Artillery. The proposal I would make is an extremely simple one: that the pay should be increased by 4d. a day and the deferred pay at once, so that each man should have a clear 6d. a day extra. This would cost about £750,000 a year, but it would very greatly increase the efficiency of the Army. There would be a set-off also under reductions of charges arising out of desertions, cost of escorting and removing deserters, and expenses of recruiting. Foreign critics say that our Army is not what is was; that the men are too young; that they are not to be compared to the long service men; and I do not want the statistics of the Inspector General of Recruiting to confirm my own experience, when I see regiments at Aldershot or elsewhere and observe that the men are below the average height of the race inhabiting these Islands. This is due to the inadequate pay, which does not attract a better class of men. After making full allowance for the soldier's rations and housing, what he is being paid is practically 13s. a week. It is possible, I know, so to manipulate the figures and include the pay of Non-commissioned Officers, the payment for good shooting, and good conduct pay, and so to raise the apparent average; but, as a fact, more than three-fourths of the men receive value at 13s. a week. For this they submit to restrictions and loss of liberty, to which men in civil life are not subjected, and at Aldershot or at times of active service, the men do a fair day's work, though, of course, I do not mean to say that in a quiet country town the life of a soldier is an arduous one. Now, take the working classes all over the country, are they satisfied with wages of 13s. a week? We know they are not, and that they combine and strike for 4s. or 5s. a day, and they are quite right to get as much as they can by fair means. But the soldier is obliged to be content with his 13s., though he is dissatisfied, and the effect is shown by your recruiting statistics. The men have a fair claim to an improvement in their pay, and they are right in doing what they can to get it. Certainly, I would not advise soldiers to strike; the partition between a strike and a mutiny is a very thin one. But this they may do: they may make every effort to get their pay raised by representations among their civilian friends, and especially among Members of this House. They may stop recruiting as much as possible, and insist that Members shall take up their cause, and soldiers have many friends among the electors of this country. They may bring pressure to bear on Members of Parliament through their civilian friends, and if intending recruits hold aloof I do not doubt that their claims would soon be recognised. This latter was the course pursued a few years ago in the medical branch of the Service, with the result that the pay and *status* of the medical officers were improved. Similar pressure the private soldier might bring to bear, and it would be foolish for the War Office to lay themselves open to such pressure. How can you expect to get good men when the pay is so small? The men you get are young and immature; how do you think they could successfully defend, for instance, the North-West Frontier of India against the race of men who might attack it. Your only method of getting the men you want to effectually use your new and expensive rifle is to

raise the pay and convert the deferred pay into ordinary pay. You give the deferred pay to the men at the worst possible time. No doubt it would be difficult to abolish the system, inasmuch as the Chancellor of the Exchequer would object to its being converted into ordinary pay, and to the charge being unexpectedly thrown on this year's Estimates. Any conversion which takes place should be spread over three or four years. You are gradually getting a worse and worse class of men in the Army, and it is fortunate that the officer superintending recruiting has especially drawn attention to it this year. The reason is that you are only paying 13s. a week—at least, that is my allegation, and if my calculation is not accurate, I should like to hear it specifically contradicted on figures. In the West of Ireland the United States Army competes with the British Army. The young men know that the pay in the United States Army is better than in our own Army, and the bulk of them see the advisability of going to America to enlist in preference to enlisting at home. England and the United States are the only two countries which have well paid Armies, but the United States pay better than we do. They give something like the market rate of wages, whereas we do not.

*(6.5.) GENERAL SIR E. B. HAMLEY (Birkenhead): The hon. Member who moved the Resolution has set himself a very difficult task—that of exciting public interest in the condition of the Army. That it should be a difficult task is very unfortunate, and I despair of seeing the Army put on a sound and satisfactory footing so long as that difficulty prevails. Let us hope that the startling nature of the present emergency may be promptly and widely recognised. It is nothing less than this: that the sources from which the Army is recruited have for some time been failing us, and that at a rate which must cause extreme anxiety, and for which a remedy cannot be too promptly devised. Let me put this question: If you cannot keep an Army by voluntary enlistment what is the alternative? Is there any kind of effort which should be spared if we can thereby avert it? First, let us look to the failure in mere numbers. The body of recruits obtained for the year was, taking it in thousands, 39,000 for 1885, and had declined to 25,000 in 1888. I will mention the subsequent years presently. Now there is a circumstance which always renders it easier to obtain recruits, and that is a depression in trade. Accordingly, the years in which trade is worst are those in which most recruits are forthcoming. This fact is most unsatisfactory as showing that only in a dearth of other employment can we get a sufficiency of recruits. But there is another fact which renders the prospects of recruiting peculiarly gloomy. It is that while recruiting is declining the population is steadily increasing. Every year the numbers of young men suitable for the Army increase. Almost every year the numbers qualified for enlistment diminish. There is one way in which this decline has from time to time been met. There is always, of course, a standard fixed of what should be required physically from recruits, but this standard may be lowered. A new stratum of material is thus reached, composed of what would have before been rejected. This lowering process has been found necessary even in the years when trade is most depressed. The numbers of 1885 were only procured by lowering the standard in 1884. Let me remind the House that the Infantry soldier carries a rifle which cannot be called light, together with ammunition, knapsack, and great coat; that he ought to be fitted to bear these on a march of from 15 to 20 miles, or rather on a succession of such marches, without being unduly fatigued, certainly not exhausted; and it will be seen that the minimum of physical competency has been reached—nay, that we have got below it. In fact, we have long since touched bottom. It is hardly possible, therefore, to tap a yet inferior class for our Infantry. But there are two branches of the Service which require men of greater strength and stature—the Artillery and Foot Guards. In 1889 the recruits were brought up to the number we then obtained by lowering the physical requirements of these branches, and that lower standard still prevails. The consequence is that many men are in the Artillery who are unequal to their work. Now, it is true

that there was an increase of enlistments last year, when 31,000 men were procured. But how? By admitting immature youths below the standard—admitting them in thousands—in the expectation that they might grow up to the mark. But for this the supply would have been at its lowest ebb. It is, therefore, the bare truth to say that the supply continues to fail. All this time, besides the general waste of the Army, there is the constant loss to regiments of men who complete their term of service and pass into the Reserve, including all of seven years' service and a few of five and of three. And how are these trained soldiers replaced? By recruits, most of whom are not fit for service for two years. We have a fixed establishment for the Army of men fit for service, and that is not maintained even in numbers by counting as efficient all those who will be inefficient for two years. Judged by efficiency the Army is always really short of its establishment by a great part of the recruits of two years. It is now short by a great part of the recruits of 1889 and 1890, and it must be remembered that our estimate of what is required for the Military Service of the Empire is habitually the lowest possible. Yet, even counting the actual numbers, we are short of the establishment by some thousands, which of itself constitutes a real peril; while what we lose in strength by the inferiority of the troops is not to be calculated. I do not object to the enlistment of immature youths; I only insist that the establishment ought to be kept complete without counting these or other inefficient men. Now, what is the working of the system under these conditions? Each battalion abroad must be kept prepared to take the field and must be maintained in its number of men—say 900—all efficient for service. Each is linked to a battalion at home of 700 men, which is to keep the other supplied with trained soldiers. Therefore, these home battalions are mainly composed of the residuum—that is, of insufficiently trained men—and are always in a state of transition. They are the nurseries of the others. Now, I would ask the House to consider how important it is that commanders of regiments should feel an interest and pride in them. These are the strongest incentives to the exercise of the zeal and energy and constant vigilance which have produced the famous battalions of the past. But what commander can be expected to feel an active interest and pride in training men who are to be taken from him and sent to do credit to others? This is the situation of the Colonels of our home regiments. I hope the Reserve is better than my hon. Friend has depicted it; but I would here note respecting it a strange piece of improvidence. We have a Supplementary Reserve, in which men can enter after completing their service in the Ordinary Reserve. But only 20 per cent. of them join it. And why? Because the pay in the Reserve is 6d. a day; in the Supplementary Reserve only 4d. Thus, for the saving of the 2d. per diem, we lose the chance of getting the other 80 per cent. of these men, none more than 32 years old, and thus thousands of trained soldiers in the prime of life disappear every year in the general population. It would seem impossible to save our pence more ruinously. It would be unjust to throw altogether on the Secretary for War the responsibility for the unfortunate condition of the Army. It is a matter which presents many formidable difficulties. But then we must also remember that it is for a Secretary for War not to evade or gloss over such difficulties, but to meet and overcome them; else, why a Secretary for War? And what more pressing duty can he have than to maintain the Army in essential and indispensable strength? No doubt the right hon. Gentleman will say he does his best. But what if, while he is doing his best, the Army is crumbling around him? What if he should wake up some day to find that the failure of our military strength has placed us in imminent danger, and that the country knows it? Then he will hear the terrible question, "What have you done with my legions, Varus?" I doubt not Varus will be able to give a reply which will be highly satisfactory to himself; but, for all that, I fear that in that day things may go very hard with Varus. It is in the hope that a calamity of this kind may be averted by prompt and wise measures, and that the attention of the public may be aroused, that I now offer these few and brief remarks to the House.

*(6.22.) VISCOUNT WOLMER (Hants, Petersfield): The hon. and gallant Gentleman has described the present state of affairs as amounting to no less than a grave emergency, and I believe that in so describing them he has done great and real service to the country. It is not, in my opinion, possible better to summarise the situation than it was summarised by him, when he said the Army was habitually short of the recruits of two years. He also stated—and the Inspector General's Report shows the accuracy of his statement—that the Army would not at the present moment be only 2,700 men short if it had not been filled by children, who can in no sense be regarded as physically capable of bearing arms. I confess I think the House of Commons ought to feel very grateful to the right hon. Gentleman the Secretary for War (Mr. E. Stanhope) for all he has done for the Army during his tenure of office. He has completed the armaments of the coaling stations and put guns in them; he has re-armed the Artillery with the best field gun in Europe; he has, at any rate, endeavoured to provide the Infantry with the best magazine rifle, and he has for the first time grappled with the question of the better housing of the troops. All these are national services, and I hope he will add to them by grappling in the same spirit with this question of recruiting. I wish to enter my protest against what seems to me to be the excessive and absurd amount of "sentry-go" the soldier has to go through. In the Guards half the men's time in the Service is occupied in pacing up and down opposite St. James's Palace or some other building. In the name of common sense what is the use of surrounding St. James's Palace, the Home Office, the Horse Guards, and the Foreign Office with sentries? If they are placed outside these offices, why are they not placed outside the Charity Commission or the Education Office? The system is excessively foolish. It wastes the health of the soldier, wastes the money expended on the training of the soldier, and makes the Army unpopular. Every Member of the House will feel that wherever Her Majesty or the Prince of Wales is there should be a guard of sentinels.

An hon. MEMBER: Why?

*VISCOUNT WOLMER: Because in a great nation like this you require to keep up the state of the monarchy; but it seems to me absurd to surround St. James's Palace all day and night with sentinels. There is no doubt the Brigade of Guards is unpopular, and I believe that statistics show that many men are invalided from colds and weak chests which are brought about by sentry duty. Sir Frederick Roberts, in an article in the *Nineteenth Century*, entirely confirms the view which I have put forward. The hon. and gallant Member for Birkenhead (Sir E. Hamley) made a great point when he asked why we should wilfully deprive ourselves of the services of men of the Army Reserve, who refused to go into the Supplementary Reserve. Here you have the highest possible class of trained soldier who, for want of adequate remuneration, refuses to enter the Supplementary Reserve. You are losing every year thousands of the best soldiers in the world, who, probably, for a small additional reward might be retained in the Service of the country. With regard to the general system of recruiting, the country has been covered at great expense with regimental depôts, each of which has a staff of officers and non-commissioned officers. In theory you could not possibly have a better system through which to get at every hamlet and village in the country, and exhaust all the resources of the country for supplying the needs of the Army. But does the country get the full benefit of the money spent every year on this system? Do the officers go to the depôts meaning to work, or because they think they will have two years of easy time? It is perfectly notorious that many officers only go to them because they believe they will have little or no work to do. Is not this quite natural when the War Office and Horse Guards make no difference in the career of the soldier who has been very successful at his depôt, and that of the man who has been very unsuccessful? I know a very extraordinary case in point, which I can vouch for from my own experience. In one depôt an Adjutant worked as I should think no Adjutant at a recruiting depôt ever worked before. The consequence was the results were so good that the Inspector General of

Recruiting, in his Annual Report, was obliged to take notice of them. Did he give credit to the officer who had brought about these results? No; he did not. He gave credit to his successor who had held the post for a few weeks. Here was an officer who for five years had worked in this way and then had to leave the Army because he saw no possibility of getting on in it, and take to another career in which I believe he has done well. Why, I ask, does not the War Office treat the work of successful and hard-working recruiting as a subject worthy of promotion and reward? It is my firm conviction that if they did this they would find a great and satisfactory difference in the Returns from many of the depôts. It is a notorious fact that at many of the depôts the officers are more frequently out on leave than at work in the depôts; and I cannot help saying that if it were known that a hard-working and successful depôt officer might look for promotion, recruiting would considerably increase. The best test of this that could be adopted would, I think, be to take a well-known successful officer and put him in charge of the recruiting at the worst of the depôts. In that case I should be surprised if the right hon. Gentleman the Secretary for War did not find that in a very short time the Returns from that depôt would be altogether different and far more satisfactory than they have been hitherto. With regard to what has been said as to the pay of the soldier, it is impossible that any terms which this country could offer him would at all compete with the wages he can get as a miner or as a skilled artisan The Army can, in reality, only compete with the respectable but unskilled labour of that class of men who are employed in agriculture or in the lower branches of our great industries. Regarding the matter from this particular standpoint I would put it to the House: Are the present wages of the soldier too small? For my part, I am not quite clear that they are; but, at any rate, the subject is one that requires a good deal more investigation than it has as yet had. And there is also the question of the great mass of deferred pay, which the universal testimony of all soldiers of experience absolutely condemns in its present form. I think I am right in saying that hardly a case can be given in which the deferred pay is of any real value to the soldier. Yet there is an enormous sum at the disposal of the right hon. Gentleman the Secretary for War derived from the detention of 2d. per day for 12 years, because the deferred pay is continued during the Reserve service as well as during the service with the colours. The chief reason for doubting whether the terms are really too low for the class of labour performed by the soldier is one which I derive from my own experience as to what occurs in my own constituency. I do not think there is a constituency in the whole Kingdom in which more is known about the Army than in mine, nor is there one in which the Army is more popular. We have Aldershot at one end and Portsmouth at the other, while on one side we have the Winchester depôt, and on the other the depôt at Guildford. The recruiting sergeant has little or nothing to do there, for the Army recruits itself. In the parish in which I live there is hardly a single family which has not one or more of its members in the Army; and when the hon. Member opposite talked about only the scum of the population going into the Army—although he afterwards stated that he meant the scum, physically—I would reply that in my constituency it is a most respectable class of young labourers who enlist in the Army. Not only do such men go into the Army of their own free will but they do so because they prefer the Service, knowing, as they do, all about it, and when they have left the Army they go back to their old avocations. I do not know of a single case in the whole of my parish, which is a large one, where a Reserve man is not in employment. The great bulk of them in my constituency, and they are not to be numbered by dozens only, but by scores, are in good and permanent agricultural employment and do not meet with any special difficulty in obtaining it as soon as they return from the Army. I speak from experience when I say that if the nature of the Army Service were properly known in the agricultural constituencies where the higher rates of wages paid to the miners and artisans do not compete with the Army pay, the terms now offered to the soldier would be found to be good enough. If the officers commanding the depôts and those under them would exercise more vigilance and display a little more keenness and resource, I believe the results would in many cases be very different to what they now are, and that in different parts of the country we should find that, as is the case in my own constituency, the Army would recruit itself. I do not propose to trespass any longer on the attention of the House; but I may be allowed in conclusion to point out that that branch of the Service with which I am associated—the Militia—in respect of its recruiting occupies a similar position to that of the Regular Army. It is, I believe, some 23,000 men short. This is not wholly, but it is to some extent, due to the want of enterprise exhibited by the recruiting officer; and my last words to the right hon. Gentleman the Secretary for War on this occasion will be to commend very earnestly to his attention the desirability of making successful recruiting and zeal at the recruiting depôts a real step to advancement in the Service, at the same time taking care to provide against successful officers being treated as my friend was, when his successor was named as the man to whom all the credit for what he had done was due, while my friend himself had to leave the Service.

(6.35.) MR. E. STANHOPE: I think that if every hon. Member who has taken part in this Debate had approached the subject under discussion in a similar spirit to that which has pervaded the speech of the noble Lord who has just sat down, great advantage would have been gained; because, I hope that every hon. Member, who rises to speak on such a topic, does so with a full sense of responsibility. There certainly is a considerable amount of responsibility devolving on those who bring before the House what are alleged to be the grievances of the private soldier. Every one who does this, does it with the responsibility derived from the knowledge that the words he uses in this House may go forth to the world, and that unless his statements are founded on fact and are uttered in something like the spirit of moderation, which has characterised the speech of the noble Lord, there is great danger that they may lead some ignorant men to expect things they are never likely to get. I must confess that, I was very sorry to hear the speech of my hon. and gallant Friend the Member for Galway (Colonel Nolan). The hon. and gallant Gentleman speaks in this House with great authority on Military subjects, and the occasions are rare on which I differ from him, in the main, in the views he expresses on such matters. It was, therefore, with exceeding regret that I heard the hon. and gallant Gentleman say that, unless an increase of pay was granted to the men of the Army he would recommend all our soldiers—not to strike—but to do their best to bring the business of the Military Service of the country to a standstill by preventing recruiting to the utmost possible extent. I am afraid that my hon. and gallant Friend was carried away by that sort of spirit of insubordination, which sometimes takes possession even of an old officer, and I must repeat that I was very sorry to hear one who is so high an authority on Army matters speak in that way. My hon. Friend who introduced this Debate (Mr. Hanbury) made one of those characteristic speeches to which we are getting pretty well accustomed in this House, but about which I will utter no words of complaint. There were, however, two things in his speech this evening which struck me as matters to which I ought to allude. In the first place he spoke of a Return which has been issued by the War Office, as one of those peculiar Returns which the War Office was accustomed to issue. That Return was issued on the Motion of Lord Dundonald in the House of Lords, and had reference to the ages of the non-commissioned officers. How it is that my hon. Friend could suggest that there could have been any intention on the part of the War Office not to present the exact facts I am really at a loss to imagine.

MR. HANBURY: The War Office itself does not know the ages of those men.

MR. E. STANHOPE: The hon. Member is wrong in that statement. We do know the ages of these men. The hon. Gentleman may say it is not so, but we say that it is so. We have given, to the best of our power and with absolute accuracy, the ages of the non-commissioned officers of the Army. The second point contained in the speech of my hon. Friend, on which I wish to say a few words, is this: It is suggested that the position of the private soldier is altered from time to time, just as the hon. Member has said the position of the officers is altered by Royal Warrants. I challenged my hon. Friend to mention a single instance in which the pay of the private soldier has undergone any change in its conditions from the action of the War Office.

Mr. HANBURY: I said it had been so stated by General Sir Frederick Roberts.

Mr. E. STANHOPE: I know that my hon. Friend said so; but I say that Sir Frederick Roberts has never said any thing of the kind, and when I challenged my hon. Friend to give a specific instance he was unable to do so. But I do not care to argue this matter in the same spirit as animated the speech of my hon. Friend or as generally animates the speeches he delivers on these subjects. I prefer to meet the points that have been raised, and to consider what those points are and how far they may be consistent with the facts. First of all it is said that the soldier is deceived; that in the attractions which are held out to the soldier to enter the Army we offer him certain things which, as a matter of fact, we do not give him. Now, Sir, let me examine this statement. I fully admit that the poster mentioned by my hon. Friend—the large poster which is put up in many parts of the country—is imperfect, and by no means a full statement of what the soldier has to expect. Of course it could not contain a full statement; it could not include every condition affecting the soldier's life. It may be that the poster is not full enough and does not contain a sufficiently complete statement of what the soldier has to expect—indeed, I think that this is so, and I have lately taken steps to alter the terms of the poster with the view of explaining somewhat more fully to the soldier the terms he has to expect on entering the Army. But I do not admit for a moment, even now, that the man who enters the Army has not the fullest opportunity of knowing what he has to expect. Reference has been made to the small pamphlet that is available to any man in the country at any post-office. It is perfectly well known—it is clear in its terms, and I do not think there can be any possible misunderstanding, as to what we offer to any recruit. I will venture to read to the House two or three passages from it. Hon. Members will find the information in that portion of the pamphlet that relates to the general advantages of the Army. The soldier is told this in paragraph 58—

> "A soldier may be said, on joining the Army, to receive in pay, rations, clothing, lodging, &c., the equivalent of not less than 15s a week."

And paragraph 57 explains exactly what it is the soldier does receive. He is warned and expected—

> "To keep up his underclothing and necessaries at his own cost, and to pay for repairs to his clothing while in wear, and for his groceries, vegetables, and washing;"

and, as a result, in paragraph 59, it is explained—

> "After deducting all stoppages, a well-conducted soldier has at his own disposal about 4s 6d a week."

That is the statement made in the pamphlet issued throughout the country, and I say in the main the statements are absolutely true. There may be cases in which a man has not the whole amount of 4s 6d; but it is utterly impossible to account for the particular circumstances of every regiment in every part of the country. In the main, however, that statement is absolutely true, and is borne out by every possible information that is at my disposal.

Mr. HANBURY: Does it say anything about the sea kit?

Mr. E. STANHOPE: I am coming to that by-and-bye. According to this estimate the English soldier receives 15s. a week, or £37 10s. a year. I was reading the other day an interesting pamphlet issued some years ago by Major Ardagh. In that pamphlet he put side by side the following results as to the value of the advantages gained by the soldier in this country as compared with foreign countries. He showed that in England an Infantry soldier costs £37 10s. a year. In France the Infantry soldier costs £21; in Germany, £18; and in Russia, a country which is sometimes held up to us as a country we ought to imitate in economy, the Infantry soldier costs only £7 4s. a year.

Colonel NOLAN: How much in the United States?

Mr. E. STANHOPE: I am sorry I have not the figures. I now pass from that general statement. It has often been said, and it has been said to-night, that the pay of the soldier has not improved. I venture to say, Sir, that in the course of the last 25 years it has very largely improved, and I will give figures of undoubted authority, because they were worked out by the Committee which sat two years ago—figures which, I should think, may be taken as conclusive upon the subject. The Report of that Committee showed that whereas in 1886, after all deductions, the soldier never had more than 3½d. a day, he now makes, under favourable circumstances, very nearly 7d. a day. Therefore the soldier has undoubtedly gained between 1886 and the present time something like 4d. a day. Now, Sir, what are the deductions that are made? The question of hospital deduction has been mentioned, though I think my hon. Friend raised a very moderate amount of objection to the hospital deduction. As a matter of fact, I think it is a very dangerous thing if you treat a soldier in exactly the same manner when he is in hospital as when he is out of hospital. If you are to give him exactly the same advantages in hospital, I am afraid there would be likely to be a very considerable amount of malingering. The soldier while he is in hospital is practically getting himself into a better financial position. Then, Sir, the library subscription has been mentioned as a hardship. First of all that subscription is optional. No soldier is bound to subscribe to the library fund unless he chooses to do so. If he does subscribe, his subscription only amounts to about the tenth of a penny per week, and, considering the enormous advantage he gets by joining the library, I do not think that is a very great amount for him to be called upon to pay. My hon. and gallant Friend also mentioned the sea-kit. Well, Sir, I am bound to say that among all the points which I have investigated in connection with the condition of the soldier, this question of the sea-kit is one which seemed to me to be the most doubtful. It is a point which I have only recently been able to investigate personally, and I think it does require some remedy on our part. Although I cannot say in what direction we shall look for a remedy, I will undertake that it shall by no means be overlooked. Another grievance that has been referred to is that the soldier does not learn a trade. Well, Sir, in that respect we are holding out no undue prospect to soldiers. We tell him plainly, in the posters we circulate, that on some stations he will have the opportunity of learning a trade, but that is all, unfortunately, that we are able to do. There are many stations where we can teach the men a trade, and where we are very glad to do so, and in recent years the opportunity has been very largely extended. But there are other stations where the barrack accommodation is such that we cannot offer the soldier that advantage. Then it has been objected that the soldier has to pay a sum for repairs to barrack furniture, but I think, Sir, on that no grievance can be sustained. All that the soldier has to pay for is wilful damage, and when it is said that he has to pay for the repair of barrack furniture generally, I can only say that that is entirely contrary to the fact. It is always desirable that there should be every possible motive on the part of the soldier to assist in keeping the barracks in good order. When you come to the ordinary repair of the barracks, that is the duty of the State—a duty from which the State has never shrunk. The State has always paid for it, and ought always to pay for it. Now, Sir, I come to the question of rations. A Committee has reported on this subject—a very influential Committee presided over by Sir Redvers Buller, then Quartermaster General, who was himself specially responsible at the time for these matters. In their Report they say—

> "The soldier's pay is of a composite character. It consists of pay proper, and an allowance, in the nature of partial board wages, estimated at 5d. a day, which is supposed to be, and which, according to regulation, may be expended on his diet. The question to be determined, therefore, is not whether ¾lb. of meat and 1lb. of bread are in themselves sufficient, but whether these supplies, supplemented by other articles provided out of the messing stoppage, afford a sufficient diet for the soldier."

Now, Sir, the Committee proceeded to make a most careful inquiry into the whole question of the sufficiency of the soldier's food. They took evidence from different parts of the country and issued questions, in answer to which they received information which enabled them to present the Report they afterwards presented, and the upshot of their Report was this:—

> "That the soldier's ration at home-stations, supplemented by a smaller sum than the authorised regimental messing contribution of 5d. a day, affords, under proper regimental arrangements, a sufficient diet."

That is a very strong statement, and at the same time a very satisfactory statement, made by a very responsible and careful Committee. They add—

> "We are of opinion that the chief defects in the soldier's diet are due to the fact that it has been too much left to the custom, and that too little attention has been paid to it by those in authority."

They followed this up by specific recommendations. The first related to the bread, and it was a very important and a very useful recommendation. To that recommendation full effect has been given, and we hope and believe that in that way many of the complaints that have arisen with regard to the bread have been got rid of. Then they recommended a course of instruction for officers in connection with the supervision of the food of the soldiers. Upon this point again we have taken advantage of the recommendation. First of all, with regard to the supply of food for the soldiers, we have appointed Inspectors, who have gone about the country to see whether the meat supplied is as good as it ought to be. We have had very good reports from these Inspectors. They have in several cases, I am afraid much more often than I should like, detected deficiencies, but the result of their inquiries has been that the quality of the supplies, with regard to meat especially, has improved to a remarkable extent, and I am sure there is every possibility of that improvement continuing. The officers, too, are giving themselves to the work of supervision with an energy that satisfies me that we may look for greater improvement in the future. My hon. Friend also mentioned the question of the meat, and he says that the prices at which we are able to obtain it prove at once that the meat cannot be of good quality. Now, Sir, I asked one of the first butchers in London whether he would be prepared to supply the Army at the rate we are now paying, and he said that, assuming that we did not want the prime joints of beef and mutton provided, he was perfectly prepared to supply the whole Army at the current contract rate then being paid.

MR. HANBURY: How much was that?

MR. E. STANHOPE: About 4d. Then reference has also been made to various changes in barracks for the comfort of the soldiers. I may say at once I am very glad to consider any suggestions for changes in this direction. Everybody is aware of the wide scheme by means of which great improvement is now being made in the general condition of our barrack accommodation, the progress of which I will explain presently. But probably hardly any one knows all the minor improvements. Some of them, not outwardly noticeable, which have recently been and are being carried out, are unquestionably adding much to the comfort of the soldier. In the new barracks we are proposing to introduce "mess requisite cupboards," which afford to each group of soldiers places for their bread, their butter, and other small articles appertaining to their meals, the pattern being the invention of a private soldier as being specially suitable to their wants. A proposal is also coming forward to introduce experimentally boxes for each man to keep his clothes in. If successful this scheme will be extended, it being, of course, not intended to allow these boxes to be moved from the barrack when the soldier leaves it. We are introducing into the new barracks waterproof floors, which will get rid of that very great evil in existing barracks of dirt under the floor. There are also minor sanitary details connected with each barrack-room which have long been, and still are, a source of controversy, but to which we are giving special attention in all barracks. I now come to the issue of fuel, and I will at once admit that the old regulations as to fuel certainly seem to have had the effect of making the amount of fuel at certain times of the year insufficient and at other times unnecessarily large. By the new regulations the greatest elasticity has been established, so that all coal allotted may be burnt at the time and in the manner most convenient to the men. I noticed the other day, when a lecture was being delivered by a quartermaster-sergeant at the United Service Institution, he explained that the new regulations were of a most beneficial character. He found that with the free hand the regiment now possessed much more could be done with the fuel than under the old regulations, and I was glad to see he expressed himself thoroughly satisfied with the change that had taken place. Great attention has been given to the cookhouses, formerly very defective, and even now in some cases unsatisfactory. A few years ago an effort was made to substitute new patterns of ranges and apparatus suitable for all the minor purposes of a soldier's cooking, as well as for cooking his dinner. But no greater or more important improvement has been suggested than that which in the form of regimental institutes has gradually provided the soldier with a warm and comfortable club. This work is more advanced in India than in this country, though, here too, the new Barracks Act affords scope for its rapid development. The recreation room, the coffee room, the reading room, and the canteen afford comforts formerly unknown to the soldier. And so with the non-commissioned officers much has been done to elevate their character and increase their efficiency. Sergeants' messes are already nearly universal, and we are following now with messes also for corporals. And in many barracks, where there is space, regimental workshops for carpenters, or for training in other work, are in existence. My hon. Friend asked a question as to separate dining rooms. Many of our barracks do not admit of providing a separate room for dining. We are, however, glad to be able to do so, and in a good many cases it has already been accomplished. Then there are the quarters for married soldiers. Within the lifetime of men of my own age the accommodation given to married soldiers was only separated by a curtain from that of the unmarried men. Now quarters, insufficient, indeed, but still decent and separate, have been largely provided, and will be in many places improved under the Barracks Act. We are, for the first time, asserting the principle that the great improvement in accommodation, which has most happily for the country been so generally provided for the agricultural labourer, ought to be extended to the soldier, and the new quarters, while thoroughly economical, will show that much better provision has been made. And, lastly, the system of granting furloughs to soldiers, out of the regular drill season, has been largely extended and brought within the reach of much greater numbers by the introduction by the Railway Companies of cheap fares for their conveyance to their homes. I think we owe a considerable debt of gratitude to the Railway Companies for the readiness with which they have met our wishes. I have several times been urged to introduce legislation on this subject, and I am glad that the voluntary action of the Railway Companies themselves has rendered such legislation unnecessary. They have met us in a manner which reflects credit upon them, and which, I believe, will eventually turn out to be to their advantage. I hope that this very brief summary, which by no means exhausts all the points which I might have mentioned, will serve to show the great attention which has been paid to every detail of the soldier's life. There remains the question of clothing. It is surrounded by very considerable difficulties, but it undoubtedly offers a field for improvement, of which I hope to take full advantage. Of the main articles of clothing supplied to the soldier, hardly any serious complaint is now made; occasionally, of course, the greatest difficulty is found in reconciling the practical requirements of field-work with that amount of smartness in pattern which tends, undoubtedly, to the popularity of the Army. We have made very considerable improvements in favour of the soldier in respect of his dress. Twenty years ago we gave the soldier a smart tunic every year; now we give him one in every two years, and we give him every year a Service frock, which is more useful for orderly and similar purposes. In the year 1890 we introduced another thing in respect of clothing, which inquiry has shown to be absolutely necessary in this climate—we gave him a jersey, to wear under his tunic, and this, I know, has largely added to his comfort. As regards the mode of issue of clothing, I do not want to enter into much detail, because we have lately made a very careful inquiry into all its aspects, which is likely to result in considerable simplification. I fully admit that the present mode of keeping accounts in detail in respect of every soldier is troublesome, and open to considerable objection. There is a great deal to be said again in favour of making the clothing, in part at least, the property of the soldier. The Military Authorities were afraid that if any change were made in this respect, and the soldier got his clothing, he would parade about the country in old and worn-out clothing. There is still more to be said for introducing a system more elastic than the present one, which may have the effect of giving to the careful soldier some greater encouragement than at present. I hope the House will forgive me if I do not now state any definite opinion on this subject, because all the facts are not before me, and on these matters I desire to reserve any final opinion until the facts are fully brought before me. My hon. Friend has spoken about the sergeants' mess, and I have already told the House that sergeants' messes are almost universal. My hon. Friend has called attention to the alleged abuse of the regulations controlling these messes and to the suggestion that liquor is sold to outsiders. The regulations which permitted the sergeants' messes to sell liquor to outsiders have been made the subject of very careful inquiry, and I especially asked the attention of Sir E. Wood to those regulations. The result of the inquiry is that, although there have been at times some abuses, the regulations now laid down will, in Sir E. Wood's opinion, absolutely prevent any such abuses in that respect in future, and I am in hopes that the improved supervision now in force will enable those regulations to be effectively carried out. And now the question comes—Is there anything in the present position of recruiting which necessitates the offer of further induce ments to enlist, or which is especially alarming? I have seen so many alarmist articles in the Press that the House will not think I am unduly detaining it if I ask leave to state quite plainly the best opinion which I have been able to form on the subject, and I do so with extreme diffidence, knowing too well the great difficulties which surround it, and the tremendous difference of opinion which prevails amongst the highest authorities about it. Anyone who looks at the Report of the Inspector General of Recruiting will see that, as regards mere numbers, so far from having had a slack year, we have had, upon the whole, a substantial increase to our numbers. Hon. Members point to the fact that the number of recruits went down two or three years ago; but they should bear in mind the fact that the number of recruits required depends on the number of men whose time expires in a given year or are passing into the Reserve, and at the present time that number is very large. Recruiting has been brisk; and the Inspector General is able to say that, in his opinion, "evidence exists on all sides to show that the popularity of Military Service is not on the wane." This is the satisfactory side of the matter; but the unsatisfactory side is—and I state it with perfect frankness—the youth of the men enlisted and the difficulty of completely filling the ranks of certain corps requiring men of superior physique. When we hear of the standard being lowered, we must remember that we maintain a higher standard than is maintained in any foreign country. I do not know whether, as a matter of fact, the height of the population of these islands is any less than it was; there are some people who say that men are shorter than they were a certain number of years ago. Whether that is so I do not know; but I think that everybody will agree that in the Report of the Inspector General, though there is a good deal that may cause alarm, there is a good deal that tends to prove that that alarm ought not to be exaggerated. From various districts we have the Returns of the generals commanding in those districts, and in many of them we find that even now they are perfectly satisfied with the physique of the soldiers they have obtained. Aldershot is an exception. Sir E. Wood expreses himself as not altogether satisfied; but the Inspector General, in his Return, points to one reason for that—namely, that Sir E. Wood has this special difficulty to encounter—that the battalions under his command have to be recruited under high pressure, because they are first to go on foreign service. That is a difficulty for which a remedy may be found, and we propose to begin the improved recruiting for regiments which are likely to go on foreign service a little sooner, so that before the men are called upon to go abroad they may have been longer in the ranks and become more seasoned. Passing from that, I say that if we were able to look upon our Army as solely intended for home defence, and without reference to its obligations to serve in India and the colonies, the present supply of men could not be described as generally unsatisfactory. But, of course, we cannot limit our views to that. The large drafts annually required for foreign service, which must necessarily be composed of men of at least 20 years of age, do create a most formidable difficulty. It is very easy to say at once that it can be effectively met by an increase to the pay of the soldier, but that is a matter which requires the most careful examination from several points of view, and all the more because, while in the case of ordinary trades your wages may fall as well as rise, it is pretty certain that, once you increase the pay of the soldier, you cannot in any circumstances retrace your steps. If it be true that the present scale of remuneration fails to attract the right class of recruits—it cannot be said that it fails to attract recruits—then we must look a little further into the matter and examine why it does so. The value of the immediate and direct advantages of a private soldier may be taken, as I have already said, at 15s. a week. That does not include various prospective advantages, and does not include deferred pay. This sum, with the prospective advantages, compares not unfavourably with the earnings of agricultural labourers, from which class the recruit is still so largely drawn, even though the actual enlistment may take place in a town. Moreover, the effect of our system of short service is to attract to the colours young men who have not yet entered any trade, and who are ready to serve for a period not too long to exclude them afterwards from entering one. A moderate increase in the pay of the Army would not have the effect, as it seems to me, of attracting those who have joined a trade. In other words, if you want skilled labour in the Army you must pay the price of skilled labour, as, indeed, the Royal Engineers do for skilled work done by many of the men that they require. But for the work of the ordinary soldier a skilled labourer is not required, and the addition to the total cost of the Army, which would be involved in the offer of any such terms generally, would be enormous, and I doubt if it would be justified by anything short of absolute necessity. Indeed, I am confident the House would not entertain it unless we proved the absolute necessity. I was struck with the fact that when the hon. and gallant Member for Galway advocated an increase of £750,000 a year only 35 Members were ready to listen to the grievance. But may it not be true that, if you do not necessarily improve the pay of the soldier, you may improve his position, or, at any rate, meet the difficulty in some other direction? I allude, of course, to the difficulty of foreign service. I refer first to the length of time for which men are enlisted. I am not going to discuss the merits and demerits of short service generally. It has, at any rate, done this. It has given us recruits in numbers which, without it, we could scarcely have hoped to obtain, and it would be madness now to abandon it. But it involves no departure from the general principle of short service if I say that the mode of its application to the special need and requirements of foreign service has always created considerable difference of opinion. It would not be difficult to show that upon the details of the best mode of applying it, the opinions of the highest authorities are most divergent and almost irreconcilable. I do not know that I ever read a better statement of the difficulties we have to encounter, or, in my opinion, a more impartial one, than what appeared in a letter from a military correspondent published in the *Times* newspaper in August. It stated the problem which we have to solve in a fair and reasonable manner, and showed in a conclusive manner that the real problem was whether the average service with the colours was too short or not, and whether any changes could be made without drawing unfairly on the Reserves which would meet the difficulty. I thought that the article stated the matter in a very reasonable and fair manner, and certainly on the whole, on the best consideration I have been able to give to it, I have come to the conclusion that facts show that if the time has not come for action, at any rate the time has come for some further inquiry as to whether a change ought not to be made. Now I come to another much controverted question which closely bears upon the same difficulty—I mean deferred pay—and I will venture to state to the House very briefly the present state of the case. Before 1876 a soldier discharged or transferred to the Reserve received 5s., and 5s. only, to start him in civil life, and to enable him to travel home—a most ridiculously inadequate sum according to our present notions, and a relic of the time when every effort was made to keep a soldier with the colours as long as possible. But in 1876 different ideas began to prevail: 12 years' service came to be looked upon as the limit of real efficiency, and the development of an adequate Reserve became the prime necessity. Deferred pay was the outcome of this change of policy. It was to enable the State, with a clear conscience, to send the man back to civil life, at the expiration of six or 12 years, with a substantial sum in his pocket to make a fresh start in life. These objects, it is fair to say, have been mainly secured by deferred pay, and we have now obtained a Reserve, not free from obvious defects, but affording a real and substantial addition to our military strength. And it is further maintained that deferred pay is in some form an inevitable condition of short service, that it has a direct influence on recruiting and rendering a military career more popular, and that the ultimate prospect of deferred pay has a good influence on the character of the soldiers and tends to prevent desertion. On the other hand, it is also true that the bulk of military authority is absolutely opposed to deferred pay, at any rate in its present form. That must be admitted. They contend that the half million of money now spent on it is to a large extent wasted, because many a soldier, instead of using it for his advancement in life or his maintenance while unemployed, is immediately tempted by the possession of what is to him a large sum of money to waste it without any permanent advantage to himself. And it is added that it is a mistake to suppose that the reckless soldier will be kept from misconduct or desertion by the prospect of ultimately forfeiting it. These arguments, which I have most imperfectly summarised on each side, and upon which I purposely refrain from expressing any opinion of my own, seem to me to establish a case for inquiring into the facts now in dispute. And accordingly I propose to assemble a Committee, somewhat on the lines of the well-known Committee presided over by Lord Airey—composed mainly of soldiers—to consider the question of deferred pay, and also to refer to it certain questions as to the present terms of service with the colours and with the Reserve respectively, which I have already, perhaps somewhat vaguely, indicated. I feel sure that an inquiry of this description, and the conclusion arrived at by a strong Committee, would serve the invaluable purpose of collecting the experience of the past few years, upon which the foundations of any changes in our system ought to be laid. It has been suggested that a Royal Commission might be preferable; but, upon the whole, I think that a Committee will be more effectual, and will be able to report more quickly. I have already alluded to the opinion of the Inspector General that military service is not losing its popularity. I am in great hopes, on the contrary, that the increasing attention which is being paid to the daily comfort of the private soldier—to some points of which I have alluded—will render it more attractive. The one or two instances to the contrary, of which so much has been made during the past year, only serve to bring out more clearly that, in spite of the avowed attempts of certain agitators to spread disaffection in the Army, its discipline remains satisfactory. Much has been most justly said about the necessity of seeing that your non-commissioned officers should not be too young or too inexperienced. But probably some hon. Members will have seen a Return which was presented to the House of Lords, on the Motion of Lord Dundonald. It is a most valuable and interesting Return, and it shows that the average age of corporals in the Line is 25 years and 8 months, with nearly 6½ years' service; while the sergeants average 28 years and 10 months, with 9½ years' service. These figures speak for themselves, and prove that the youth of our non-commissioned officers has been much exaggerated. Reference has been made to the pay of non-commissioned officers. I must say frankly that it has not been proved that the pay of non-commissioned officers is insufficient to draw into the Service and keep in the Service thoroughly efficient non-commissioned officers. Their pay is considerably higher than that of the private soldier, and they are also in a position to earn pensions. I am not satisfied that any case has been made out for increasing the pay of non-commissioned officers. It may be that the lance-corporal does not always get the full advantage of his position, but it is only temporary, and is due to more lance-corporals being appointed than are provided for. I am also able to add that crime in the Army has rapidly diminished of late years. The number of men in possession of good-conduct badges has increased in the last four years by 19 per cent. Our military prisons are seldom more than half full, and have been diminished in number, while the number of Courts-martial, of minor punishments, and of fines for drunkenness show a most satisfactory decrease. I attribute much of this improvement to the great attention which has been paid to the subject of temperance in the Army, a work which will be enormously facilitated by the system adopted in the new barracks now being constructed. Much also may be due to the excellent work being done by the ministers of religion, the vast importance of which may be judged, not only from its effect within the Army itself, but from the fact that its influence must be felt in the localities to which our time-expired soldiers return. I have endeavoured to deal as comprehensively as I could with almost all the points that have been raised by my hon. Friend the Member for Preston. No doubt there are some points of great importance which I have not touched upon, but which I shall be prepared to deal with in Committee. As we are substantially agreed that some changes and improvements in the terms of the soldier's employment are desirable, and that they should be carried out so soon as they have, upon inquiry, been clearly established, I hope it may not be thought necessary to put the House to the trouble of a Division. We wish to deal with perfect fairness with this matter, while recognising that, as trustees of the public, we should not make any increases in the pay or allowances without adequate proof that it is required by the condition of the labour market, and being agreed on the substantial point, that we must do justice to the claims of the soldier. I trust the House may not be put to a Division, but that, after hearing what I hope may be regarded as a frank statement from me, the Resolution of my hon. Friend may be withdrawn and we may be allowed to go into Committee.

*(7.38.) Mr. CAMPBELL-BANNERMAN (Stirling, &c.): I presume that after the appeal of the right hon. Gentleman this Debate will not be long continued, but I wish to express my opinion that the statement of the right hon. Gentleman will, I think, not only be regarded as eminently satisfactory by the House, but by the public outside. It may, perhaps, be said that the right hon. Gentleman takes the usual official optimistic view of the whole matter. A little optimism is not unwholesome as an antidote to the pessimism which prevails on Army matters in quarters where military questions are largely discussed—in clubs and in military and other newspapers. The right hon. Gentleman has shown that he is not deaf to many of the complaints that have been brought forward, and that he is anxious to do what is possible to meet such of them as are well-founded. Now, there are only three ways practically in which we can hope to improve the quality of the men attracted to the Army and offer greater inducements to men of a more suitable character and qualification. We may alter the terms of enlistment, we may increase the pay, or we may improve the conditions and comfort of the Service. Now, the terms of enlistment, so far as they affect the Service of the country, cannot, I believe, be very much altered. My idea is, and I believe the opinion of most authorities on the subject, at all events of the more moderate school, is that as we have a voluntary Army, no man should have the idea while he is serving in the Army that he is a prisoner, and has to look forward to a long period of service against his will. There ought to be, and there are at different stages, opportunities afforded for a soldier either to leave the colours and go into the Reserve, or remain with the colours, according as

his inclination prompts him. That I believe to be the principle which ought to be maintained. In his Report the Inspector of Recruiting points out that men were occasionally lost to the Foot Guards owing to the terms of the original enlistment being restricted to three years with the colours, and that His Royal Highness with the concurrence of the Secretary of State had decided that recruits for the Foot Guards should have the option of enlisting for three or seven years colour service. The Commanding Officers were directed to ascertain from the recruit, before final approval, that the period for which he had contracted was what he really desired; if not the attestation was to be altered. Since the date of that order there have been 621 enlistments in the brigade, of which 193, or 31 per cent., have elected to take seven years' service with the colours. I quote this as an instance of the kind of arrangement which appears to me to suit best our voluntary system. When only 31 per cent. of the Guards elect to serve for the longer period, and the rest prefer to begin with the shorter period, it is obvious that short service has certain attractions of its own. With regard to the common assertion of the extreme youth of our soldiers, I should like to call attention to certain figures in the Annual Returns which show that whilst in 1871, the year following the introduction of short service, and, therefore, not yet affected materially by it, there were in every 1,000 men 190 under the age of 20 and 320 over 30, in 1890 there were only 147 under 20 and 101 over 30. Military experience shows that from 20 to 30 is the best period of a soldier's life, and that it is not desirable to have in the ranks too many over 30. The returns therefore show that the proportion of men at the best ages is better than it was 20 years ago. As to the expediency of increasing the pay of the Army, the right hon. gentleman has pointed out the objection to an inconsiderate adoption of that proposal. Wages throughout the country may rise and fall, but you can never go back when you have once increased the pay of the men in the Army. It may be that a case could be made out for increasing that pay, but it is a thing to be done only in the last resort. The right hon. Gentleman is taking a judicious course in instituting an inquiry as to deferred pay. It is certainly desirable that when a man retires from the colours he should have something in his pocket, so that he may not be launched into civil life without resources. If there were no deferred pay men would be tempted to remain in the Service on account of the dismal prospect immediately before them on leaving the colours; but as it is there are no fewer than 71,000 men in the First Class Army Reserve. That shows what a very serious addition is now made to the fighting strength of the Army, and we ought not to do anything which would artificially stop the tendency of the Reserve to increase. The hon. and gallant Member for Galway (Colonel Nolan) suggested that we should abolish deferred pay at once and increase the pay of the Army, but the hon. Member for Preston (Mr. Hanbury) said one of the grievances of the Army is the constant change to which they are subjected, and how much would a man's position be altered if he found his deferred pay suddenly taken away from him? It is quite obvious that with regard to the men now serving you must hold to the bargain of deferred pay, and you cannot deprive them of the advantages you covenanted to give them when they joined the Service. If, therefore, you forthwith increase the pay you will unfortunately, as has happened in so many cases, have the expense of the two systems overlapping each other. It is, however, possible to do much, and I am glad so much has been done, to improve the treatment of the soldiers in respect of food, clothing, and barrack accommodation. The Army might also be made more popular by mitigating the excessively irritating discipline which has prevailed. We must remember that nowadays we are not taking into the Army, thank goodness, men of the same sort as formerly filled it, but men of a better class. They are men of better education than formerly, because everybody is more or less educated now; they have a better idea of themselves and of their own dignity than their predecessors had; and they will not willingly submit to the petty and unreasonable restraints of old times, which are extremely irritating and do no good to any one. A great deal has been done in the way of reducing the number of petty offences visited with punishments, which caused much discontent; and I hope the right hon. Gentleman will proceed further in the same direction, and will as much as possible mitigate the discipline of the Army, remembering that the soldier is nowadays a reasonable, educated, self-respecting man. There is not much to be said after the speech of the right hon. Gentleman, but I am sure the House may anticipate the best results from the inquiries he has instituted.

(7.54.) SIR W. BARTTELOT (Sussex, N.W.): I am extremely glad that my hon. Friend the Member for Preston has brought the subject of recruiting before the House. I give my right hon. Friend the Secretary for War credit for all he has done in the interest of the Army, especially in connection with the new barracks he is building all over the country, and I was glad to hear from him what he proposes to do with regard to the fitting up of those barracks. But I think I may say that my right hon. Friend has hardly gone into the one great difficulty under which we labour at present. The most important question of all is not pay or barrack accommodation, but the class of men we get, and the danger we are exposed to on account of their rawness, youth, and inexperience. I should like to know whether the Return respecting the ages of non-commissioned officers included those who have gone from the Army into the Militia. We have heard from all quarters how young the modern non-commissioned officers are, and how much less respected they are than was the case in former days. I think my right hon. Friend will not deny that if there had been more experienced non-commissioned officers in the second battalion of the Grenadier Guards we should have been spared the unfortunate events of a few months ago. In our First Army Corps I wonder how many recruits there are at this moment who would be unfit to be put in line of battle.

MR. E. STANHOPE: I have here the Return from Lord Dundonald as regards non-commissioned officers, and I see it refers to non-commissioned officers of each rank "at present serving with the colours."

*SIR W. BARTTELOT: Well, that is, if correct, a very satisfactory Return. The 2nd battalion of the Rifle Brigade some year and a half or two years ago passed over 1,000 men through its ranks in two years to supply the wants of the three other battalions of the brigade then serving abroad. This is a very serious state of things. How, under such circumstances, is my right hon. Friend to keep up the Army at home in an efficient state and be able to put his 1st and 2nd Army Corps into the field without sending out young and inefficient men? I venture to hope that when my right hon. Friend makes his statement we shall hear something very satisfactory on this point. That is the point to which the country is looking. War may come upon us at any moment, and we should have our army ever ready and fit to undertake any duty it may be called upon to perform. (8.0.)

*(8.30.) DR. FARQUHARSON (Aberdeenshire, W.): I do not in any way wish to minimise the importance of the questions brought before the House this evening, nor do I fail to recognise the great ability of the right hon. Gentleman who has laid his views before us in a speech of such force and importance, but I cannot but carry my mind back a little way and remember how Army Debates were carried on a few years ago. I remember that we used to come down to the House and, on the Motion that you, Sir, do leave the Chair, we were allowed to have an open night, so to speak. Everyone was allowed to talk at large, and as much as he pleased about military matters. But now, Amendments are put down on the Paper, and if a Member does not happen to be sharp enough to get one down, he is tied down to a specific Motion, and until that is disposed of with other Amendments after it, he is unable to bring on that particular matter in which he is specially interested. I am bound to say I think the old plan was a good one, as it enabled us—to use a familiar expression—to blow off a certain amount of steam, which, if confined for too long a period during the Session, is wont to lead to a violent explosion when we get into Committee. Those

who have had considerable experience in the House know that the uncertainties of these occasions are disconcerting to private Members, and that Members are inclined somewhat to accentuate their views when they have the opportunity of dealing with the Votes in Supply. The particular Votes on which they wish to speak they find put down for inconvenient times, and very often they are away—sometimes in bed—when the items in which they are interested are reached. I recognise to the full the ability of the hon. Member who brought this Motion before the House. I think this Amendment most important and most opportune, because reading between the lines I think we cannot but regard General Roche's Report as to recruiting with alarm. I agree with the right hon. Gentleman that a little too much has been made of the question of recruiting at the present moment. I do not think things just now are as bad as they are painted. General Roche says that the number of recruits for this year is not unsatisfactory, because there are 2,000 more than there were last year. My right hon. Friend opposite read from General Roche's Report the statement that "evidence exits on all sides that the popularity of the Military Service is not on the wane." My right hon. Friend stopped there. He should have gone on a little further, for General Roche proceeds:—"And that eligible recruits would be forthcoming in ample numbers if they could see their way to them," that is so say, if the inducements in the Service were sufficient to enable recruits to come forward, they would come forward as they used to, in the matter not only of numbers, but also of quality. Though things are not so bad as they are painted, General Roche has indicated that there may be dangers in the future, and he thinks the quantity of the recruits and their quality will not be so good in years to come as they have been in the past. The Secretary for War told us that there is great difference in the numbers of recruits engaged in successive years, and no doubt that is the case; but General Roche tells us that the number of recruits wanted next year to complete the regimental strength of the Army will be 34,000 or 35,000. That is a very large number, and that statement should be remembered in considering this question. My right hon. Friend was, I think, somewhat Utopian in his views when he came to consider the present condition of things, and no doubt it is well to be so, taking a full official standpoint; but I am bound to say he was successful in attempting to show that the condition of the private soldier is really better than that of the agricultural labourer. However, notwithstanding these Utopian ideas, there have been some practical points brought before us by the hon. Gentleman who introduced the question which are worthy of consideration, and I agree that we should regard the matter from three points of view—as affecting the recruit, as affecting the soldier, and as affecting the retired Reserve man. I have always taken an interest in the question of rations, and I would go into it now mainly from the point of view of the recruit. I think the Secretary for War a little minimised the importance of the point brought before us by the hon. Member for Preston, and the quotation he made from so eminent a soldier as Sir Frederick Roberts, when he said that the recruit was, to a certain extent, deceived when he entered the Army as to this question of rations. It is all very well to argue in a metaphysical way that a free ration means a free ration up to a certain point; but from the way it is put by the recruiting sergeant to the man who is thinking of entering the Army there can be no doubt that the idea the recruit has is that he is to get his food absolutely free. The Secretary for War tells us that the recruit has the means at hand of informing himself on the subject; but how can a comparatively uneducated agricultural youth gather the necessary information from a pamphlet of the very existence of which he is unaware? The information a recruit gets on entering the Army is that which is conveyed to him by the recruiting sergeant, and I am speaking from authentic information when I say that the recruiting sergeant gives the information, I will not say in a dishonest manner, but in a manner best suited to his own interest, and the recruit receives the impression that he is to have his food free. If anyone in this House doubts that statement let him do what the enterprising journalists do nowadays; let him put on an old suit of clothes and go to a recruiting station and let him be recruited there or get into conversation with a recruiting sergeant. He will then find what the inducements held out to the recruits to enter the Service are, and I will undertake to say that he will be of opinion that the representations made to him are such as would lead an uncultivated agricultural labourer to believe that he was about to receive free food. Of course, when the recruit joins the Service the illusion vanishes, and the result is great disappointment and dissatisfaction when the man finds that the food he expected to get free of cost has to be largely paid for by himself. This is a fruitful source of desertion, the men feeling that they have been "done." The recruiting sergeant has a direct incentive to securing a recruit, for he gets for a militiaman, 2s. 6d., for a linesman, 5s., for a foot guardsman, 10s., and, if he is fortunate enough to bag a brace of "blues," £5—or £2 10s. in each case—slip gently into his pocket. Therefore, the object of the recruiting sergeant is to bring down his man; and I dare say, although he puts the matter to the recruit textually and literally accurately, the recruit receives a false impression as to the terms on which he is entering the Army. Another point which has been noticed by one or two Members is the food of the soldier generally; and here I am glad to be able to offer my meed of praise and approval to the Secretary for War for what he has done, especially in the direction of improving the meat and the bread rations. I think it was a good thing to appoint a Committee, and I think that up to a certain point the recommendations of that body were thoroughly practical. They do not, however, go far enough, and if we could only get something to bridge that terrible gap between the dinner one day and the breakfast next morning the state of things would be much more satisfactory. And, I think, in this matter, the question is much more important as affecting the recruit than as affecting the grown-up soldier. The latter, no doubt, has enough food, but the recruit has not enough, seeing that he is growing in all his tissues, and in his case it is hard to give difficult and anxious work to do and not allow him enough food. I do not like the principle of giving the recruit money in place of food. He is mostly surrounded by persons who like to meet with a lad with money in his pocket, and the result is that he is more apt to spend his money in drink and amusement than in food, and to suffer in health and ruin his constitution. I think it would be an advantageous thing if arrangements could be made by which, at any rate, the recruits could be supplied with more food of a nourishing kind. Many other questions have been raised in the course of the Debate. The right hon. Gentleman the Member for the Stirling Burghs has pointed out that it would be desirable to relax many of the irritating restrictions of discipline which press hardly on the soldier. You must remember that the working classes have different ideas of labour and independence to those they used to have, and they do not like being bullied as school boys. I think, therefore, it would be found in the long run that a relaxation of the restrictions would lead to economy. Formerly a soldier had a career before him, but that is no longer the case. He is turned out into the world when he has perhaps got into rather idle habits, and he finds it difficult to secure employment. I think, therefore, that the Government should endeavour to confine certain occupations to ex-soldiers such as work in the Post Office and in small Departments of other Government offices. Employers make some difficulty in giving work to Reserve men. We cannot, in the matter of pay, compete with the labour market; but, although we have increased the soldier's pay by 4d. a day, the improvement in the labour market has been greater. A shilling a day is very poor terms for a man going to be killed or to be sent to a bad climate. I think we must make our terms somewhat better; but I admit that if we propose to make any substantial addition to the Estimates—say to the extent of an increase of 6d. per day—we shall be met with an uncompromising opposition. I have no doubt the Committee that has been promised may do something to suggest a remedy although I do not know that it can do much to improve the position of the soldier. Abroad the *status* of the soldier is much better than it is in Great Britain, where he is frequently snubbed and treated as if the Army were composed of nothing but ne'er-do-wells. I hope that the feeling against the soldier will pass away, and, with the many improvements the right hon. Gentleman has made, and those he will make in the future, I have no doubt recruiting will much improve and the condition of the Army will become much better. I would direct the right hon. Gentleman's attention to the very bad accommodation there is at St. George's Barracks for the examination of recruits. The room in which the examination has to be made is much too small and the premises altogether are very unsuitable for the purpose. I thank the right hon. Gentleman for what he has said to night, and what he proposes to do, and I have no doubt, after the right hon. Gentleman's statement, the hon. Member for Preston will withdraw his Motion.

(8.52.) GENERAL GOLDSWORTHY (Hammersmith): I think my hon. Friend the Member for Preston has done good service in calling attention to this subject. I am one of those who consider that the soldier at the present moment is altogether underpaid. This is proved by the fact that we do not get all the recruits we want, and that those we do get are not of the stamp we require. I shall not be satisfied until the position of the private soldier in this country is that it is the envy of everybody who is not a soldier. You are supposed to be very particular with the physique of your men, and the fact that 47 per cent. of those who enlist are rejected shows a very lamentable prevalence in this country of people who are not fit to be soldiers. Soon after I entered this House I drew attention to the fact that a soldier had been prevented riding in an omnibus because he was in uniform. I want to see that feeling pass away and to see the uniform respected by everybody. The best way to get the uniform respected is to induce the best class of men to enter the Service. I quite agree with the right hon. Gentleman opposite (Mr. Campbell-Bannerman) that recruits are better educated now than they were formerly, but of course the whole population is better educated. There must be something wrong, however, when there is a falling off in the number of recruits. What is wrong very likely the Committee about to be be appointed will ascertain; and I have no doubt that some little hitches in the administration will be amended in consequence of the Report which the Committee will present. I also agree with the right hon. Gentleman opposite that there are some irritating regulations which had better be done away with. The question of the soldiers' old clothing ought to be considered and dealt with. The original reason why the soldier was not allowed to keep his old clothing was that he was very likely upon his discharge to wander about the country wearing his old uniform, and being practically in the condition of a pauper. That reason does not apply, however, to the time when a man is serving with the colours.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): I may point out that every commanding officer may keep the uniform as long as he likes.

GENERAL GOLDSWORTHY: I am glad to hear that statement, and I think the permission thus accorded to commanding officers ought to be acted upon in all cases. With regard to the rations, it was the unanimous opinion of the Committee that the soldier had enough to eat if the proper regulations were carried out; but of course the carrying out of proper regulations is the difficulty, and it needs constant vigilance on the part of everybody to see that they are satisfactorily acted upon. My hon. Friend the Member for Preston (Mr. Hanbury) spoke of *esprit de corps.* Of course, under the present system you cannot have the same *esprit de corps* as was possible in old days, when the trumpeters in a regiment were the sons and perhaps the grandsons of men who had been in the same regiment before them. You must, however, do your best to encourage *esprit de corps.* With regard to drink being supplied to the men from the sergeants' mess, I may say I have known instances of it myself, and I am glad the question has not escaped attention. I must compliment the Secretary for War upon all he has done for the Army. He has improved the position of the private soldier very materially, although all his improvements have not yet come into operation. To my mind, with the object of making the Service more popular in the country, both the Army and the Navy should be made the stepping stones to civil appointments. Why cannot you get the telegraph boys to enter into the Army by refusing to allow anyone to act as a telegraph boy unless he promises to enter the Army, and then, when he has served his time in the Army, why should not he pass on to the position of a letter carrier. Having said so much, I have only to express a hope that my hon. Friend will withdraw his Motion.

(9.1.) MR. COGHILL (Newcastle-under-Lyme): In expressing my agreement with the Motion of the hon. Member for Preston, I desire to call attention to one matter which I think deserves the serious consideration of the right hon. Gentleman the head of the War Department. I refer to the billeting system which is adopted in this country, and in regard to which I think our soldiers deserve more generous treatment. I am told by an innkeeper who sometimes has soldiers billeted upon him that when he has found them their beds he has also to find them their breakfasts, but that he has to find the breakfasts out of his own pockets, otherwise the soldiers would go away without any breakfast at all. I think the House will agree with me that this is a very bad system, as it is very undesirable that our soldiers should have to start upon a long march without any food in their stomachs. It is the want of proper food which is the fruitful cause of intemperance in the Army, and I am quite sure the right hon. Gentleman the Secretary for War does not wish to see intemperance encouraged among our soldiers. The War Office ought at least to make some arrangement by which the men who are billeted in this way should have at least a cup of tea or coffee and some bread and butter. Another point on which I wish to say a word is with reference to the difficulty experienced by the soldier with regard to promotion. Under the present system promotion from the ranks is practically barred. The men are allowed to rise to a certain point in their stripes; and although it is now allowable for them to receive commissions, it is very seldom that promotion from the ranks is carried as far as that. From a Return for which I moved in this House of the number of promotions that have been made from the ranks, I find that during the last five years in one case six commissions were given in a particular regiment, and that in other regiments only one commission had been conferred. I say that this is not enough, and that greater inducements ought to be held out to men who join the Army. There are many good men who would not mind roughing it for a few years in the ranks if they felt that they were almost certain to reach the higher grades of the Service in the long run. The hon. and gallant Member for Hammersmith, who has just spoken, has suggested that both the Army and Navy might be made the means of advancement to posts in the Civil Service, but for my part I am opposed to the taking away of men from the Army and putting them in Civil Service employment. If they are to be promoted they ought to find that promotion in the Service to which they belong, and I think the hon. and gallant Members who are best acquainted with that Service will bear me out in saying that we have no better officers in our Army than those who have had their early training in the ranks. I think that if these two grievances were removed — if the men were better fed and were offered better prospect of promotion the difficulties we now experience in obtaining recruits will at once disappear. We are all under an obligation to the right hon. Gentleman the Secretary for War for the steps he has already taken in the direction of ameliorating the position of a soldier, and I trust he will also take into consideration the suggestions I have just ventured to make.

*(9.9) GENERAL C. FRASER (Lambeth, N.): In my opinion it is very desirable that the present momentous condition of the recruiting question should lead to longer service. At the present time, just as a man has become

a capable soldier, he is turned out into the world with no choice. I think that this is a mistake, and that a longer period of service would prove a useful remedy. I am very glad to hear that the War Office is about to institute an inquiry into the state of the Reserve, and I trust that it may lead to beneficial results.

*(9.10.) COLONEL BLUNDELL (Lancashire, S.W., Ince): We seem now to have arrived at a very critical period in recruiting for the Army. We approach within a few hundreds the total Reserve anticipated by Mr. Cardwell, namely, 60,000 men, and I am glad to hear that there is to be an inquiry into the recruiting system. We have had opportunities of testing, among other things, the effect of our present system upon troops on foreign service. The number of men on that service is very large, there being about 70,000 men in India, and I think the system is one which requires alteration. At present a man enlists in the Line for seven years with the colours and five with the Reserve. A man who remains in the Army for seven years has been divorced so long from his habit of labour that when he returns to civil employment he is not able to earn his living at his own employment, as he would have done had he remained in civil life. I was one who advocated short service before it was adopted—and if our Service was a Home Service, like that of Germany, a short service Army would suffice; but I think we must meet the double obligation here. I think that a man should enlist, for instance, for two or three years. After having been in the Service for six months, he should have the opportunity of adopting the Service. After serving with the colours 12 years, instead of serving the remaining nine years, he should be allowed to serve double that period in the Reserve, in order to obtain a pension. Any man in the Reserve should be allowed to re-enlist for general service and go to India. I have found men in the Reserve perfectly capable and of the age desirable in India, and yet they are men who cannot be enlisted for Indian service. I strongly urge that these questions should be considered by the Committee. I think it is probable that some recruits are deluded by the advertisement which is issued; but hon. Members have also to consider the recruiting sergeant, who is sometimes a man of resource, and puts a gloss upon the poster. Sometimes recruiting is stopped at many stations; and I have heard it said that this is very objectionable. As to the standard height for recruits, the standard of the Grenadier Guards over many years, though often above it, has been 5ft. 8in. as a rule. The standard of the Line must have been in early times 5ft. 6in.; but 5ft. 3in. for the Line is not a proper height for a soldier of the British race. He is too small, and is not really a well-developed man. That is a point which I think ought to be looked into in considering this recruiting question. We not only want numbers, but we want men of good average physique.

*(9.14.) MR. JEFFREYS (Hants, Basingstoke): I have many soldiers amongst my constituents, and I approve the Motion brought forward by my hon. Friend. I have often heard that recruits say they have been mistaken in the terms of their engagement, which was 1s. a day and free rations, as they believed. But when they entered the Army they found that the rations consisted of 1 lb. of bread and $\frac{3}{4}$ lb. of meat, including bone. Although the bread may be sufficient, healthy men do not think $\frac{3}{4}$ lb. of meat weighed with the bone is enough except for one meal. No doubt the men get a good dinner in the middle of the day. I have been at their messes and seen the dinners cooked, and I think that where the officers do their duty and see that the men have what is allowed under the Regulations, this meal is sufficient. Having had their dinner, they reserve a small portion of their bread for their tea, which they have to pay for themselves. Out of the 1s. a day at least 3d. a day goes for their groceries and vegetables. They are left with 9d. But there are various stoppages, such as, for instance, if they damage their clothes; so that the soldier is left with a very small amount per diem. After the men have had their tea, they have to go from 4 o'clock to 8 o'clock the next

morning without food, and then they are provided with a scanty breakfast. That is far too long to go without food. We have a number of very young men in the Army, and they require more food than the older soldiers, who have become accustomed to the *régime*, though, I am sorry to say that a good many of them do not feel hunger so much because they drink more than the young soldiers. The young soldiers make great complaints, and they hope that the Government will give them something in the way of a free tea in the afternoon. I do not pretend to say that this would not cost the country a considerable amount; still, it should be recollected that in all other walks of life, including that of the agricultural labourer, wages have gone up, while for years the soldier has been kept at his 1s. a day and the same quantity of rations. If there has been a falling off in the number of recruits, it must be because the Service is not sufficiently attractive. I do think it would be useful to increase the amount of food given to the men.

MAJOR RASCH: May I ask the Secretary for War whether he will include in the inquiry to be made the case of Reserve and discharged soldiers?

MR. E. STANHOPE: It would be inconvenient to discuss that point before we get into Committee. I have no right to answer that question now; perhaps the right hon. Gentleman will allow me to answer it in Committee.

MR. HANBURY: The right hon. Gentleman has not only done so much for the soldier, but he promises to do so much more, that I do not think it would be fair to him to press this Amendment. I, therefore, beg leave to withdraw it.

Amendment, by leave, withdrawn.

Main Question again proposed.

RANGE ACCOMMODATION.

*(9.20.) MR. HOWARD VINCENT (Sheffield, Central): I rise to call attention to the immense difficulty Her Majesty's regiments of the Standing Army, the Militia, and the Volunteers stationed in the large towns of Great Britain have in finding adequate range accommodation to fulfil the requirements of the authorities in rifle shooting; and to move—

> "That a Select Committee be appointed to consider whether the compulsory acquisition of land for this purpose, either by the Government or Local Authorities, is not essential to adequate preparation for the National Defence."

This Motion is, I am afraid, of a very much less interesting character than that which we have just been discussing, still, it is one of very considerable importance to the training of the Army, the Militia, and Volunteers of England. No troops can be considered properly trained to their duties unless they are trained every year in the use of the rifle. In the case of the Standing Army, there is usually ground available in the neighbourhood of the quarters of the troops. For the Volunteers the case is different. The shooting time of the Volunteers is usually restricted to a chance half-holiday, which very often falls upon a wet day, or at a time when our foggy climate makes shooting impossible. Then the Volunteer has often to travel long distances to the ranges, which makes the matter still more difficult, besides adding to the difficulty of earning the Capitation Grant. Take the case of the Metropolis. I have here a return of the number of ranges in and about London. I find that of the 22, no less than eight have been recently closed as dangerous, others are subject to floods, while many of them are closed for a month, at the very time the Volunteers can use them, for the purpose of haymaking. The rents of all ranges in and about London are enormous, and the tenure is most insecure. And what applies to London I believe holds good of all the large towns of the country. It is true that there are ranges at from 19 to 30 miles from London, but it takes a long time to reach them. I ought also to mention that efforts are being made to acquire a range at Staines, 15 miles from London. Whether those efforts will be successful is doubtful, but the Volunteers are none the less grateful to those who are making them. The regiment which I have the honour to command has five ranges, and the rent they have to pay is far more than they can properly afford, for one day a week. I have had correspondence on this matter with commanding officers in every part of the country, and every one of them dwells on the great difficulties experienced with regard to ranges. Colonel Methuen, of Bristol, states that the Volunteer range there has just been destroyed by a Railway Company, and he says there is no possibility of obtaining another in the vicinity. The new magazine rifle is to be issued, and before the Committee on this subject last year, Sir Redvers Buller, the present Adjutant General of the Forces, said that quite half of our present ranges would be useless for the new rifle, and that evidence is strongly corroborated by Major Waller of the Royal Engineers. He was asked this question—"The Volunteers have great difficulties with the ranges, have they not?" "So great," was the answer, "that for class firing men have sometimes 40 or 50 miles to go to fire ten rounds of cartridges." It is quite unnecessary for me to press the point. I would only ask the Secretary for War, who has done so much for soldiers and Volunteers, to give his serious and anxious attention to this matter, and appoint either a Select or Departmental Committee. So rapidly does building and population increase that the longer this matter is delayed the greater will be the cost; and so long as this House recognises the maintenance of a Volunteer Force the means must be provided for giving it proper training. I beg, therefore, to move the Amendment which stands in my name.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "a Select Committee be appointed to consider whether the compulsory acquisition of land for range accommodation, either by the Government or Local Authorities, is not essential to adequate preparation for the National Defence,"—(*Mr. Howard Vincent,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(9.28.) Colonel LAURIE (Bath): Mr. Speaker, I beg to second the Amendment; and I would remind the House that one of the conditions imposed upon Volunteers is that they shall undergo target practice. Three years ago, when the new regulations were issued, the Volunteers were severley affected, especially in the Metropolis; and I find, according to the Memorandum of the right hon. Gentleman, that the number of Volunteers has decreased by 3,000. That decrease is attributed in some degree to the retirement of the older and less energetic men. But that is a course which has operated all along, and the number has been filled up by the recruits always to hand. I attribute the diminution to the difficulty of getting ranges, more especially in London. The time of the Militia, when they are out, is entirely at the disposal of the Military Authorities. Volunteers are only able to utilise an occasional half-holiday to go to some range, often having to cover a distance of 20 or 30 miles. It is extremely hard on the officers. I hope the right hon. Gentleman will carefully consider this appeal of my hon. Friend, and will be able to see his way to obtain ranges, especially in the neighbourhood of London. With respect to the financial part of the matter, I think the amount which the Volunteers already pay for ranges should be taken into consideration. Surely the very heavy expense might be taken into consideration of the Government assisting in finding the necessary money. I believe I am right in saying that the diminution in the strength of the Force, especially in urban districts, is due to the want of ranges. I am sorry we have not the Volunteer Returns before us, and I do appeal to the Secretary for War to arrange that in future years the Annual Returns of the Volunteers shall be issued to Members of the House before the Army Estimates are taken.

(9.33.) Mr. E. STANHOPE: With regard to the point just mentioned by the hon. Member for Bath that this year the Army Estimates have been brought forward earlier than usual, he will remember that in the public convenience we are taking the Estimates earlier, and it has been impossible to get all the Returns in. Otherwise I quite agree that the Annual Returns of the Volunteers should be presented, if possible, in time for discussion with the Estimates. No doubt they will be ready before we reach the Vote for the Auxiliary Forces. I am very glad that the hon. Member for Sheffield has brought this Motion before the House, for I fully appreciate the importance of the question. It is of enormous importance both to the Regular Army and the Volunteers. Difficulties exist in many places in finding suitable ranges, and therefore any suggestions which can be made to overcome those difficulties will be welcomed. At the same time, I am not prepared to admit that there is any difficulty in the law in reference to the acquisition of land for ranges; it may be obscure, but I believe the law does provide means by which sites may be obtained compulsorily by the War Office, both for the Regular Army and the Volunteers. Nor am I prepared to admit that it is the duty of the War Office to provide the necessary funds for ranges for all the Auxiliary Forces in all parts of the country. At the same time, I fully recognise that the subject requires investigation, and that it would undoubtedly be a great advantage if the various difficulties connected with it could be inquired into by a Select Committee, who might make suggestions of great value, and thus assist Parliament to deal with the whole matter in a satisfactory manner. In these circumstances, although I am not prepared to accept the Motion on the Paper, I shall be very glad to consult with the hon. Member for Sheffield at a later period as to the terms of a Motion to be placed on the Notice Paper asking the House to appoint a Select Committee, and with that understanding I hope the discussion will not be continued.

(9.36.) MR. MUNRO FERGUSON (Leith, &c.): I am very glad that my hon. Friend the Member for Sheffield put this Motion down, for the matter is one of urgent importance and it is satisfactory that the Secretary for War should receive it in so favourable a spirit. The difficulty of securing ranges is by no means confined to the Metropolis; it exists all over the country, and seriously affects the efficiency of the Auxiliary Forces. I have three rifle ranges on my own property and I am glad to give what facilities I can; but, at the same time, any arrangements I may make are liable to be upset by any old woman who is going along the road and is afraid she may be hit by a bullet. I think, of course, it is necessary the Military Authorities should take the necessary precautions for the safety of the public, but too much weight should not be given to alarmist views by local people. At present, moreover, a very heavy tax in connection with ranges is imposed on Volunteer officers, and I think they should be relieved of it, to some extent at least, by the State, as ranges are necessary to enable the men to make themselves efficient.

*(9.40.) MR. TOMLINSON (Preston): As a Volunteer officer who has suffered from this difficulty I should like in a very few words to thank my right hon. Friend for the reception he has given to this Resolution. The force was greatly inconvenienced last year by the closing of our local range. The result is that much inconvenience and expense are caused to Volunteers who are obliged to go to ranges at a long distance. It should be remembered that ranges become dangerous, not only from not being of sufficient length, but from the lateral deviation of bullets which strike the ground before reaching the target. Under the circumstances, I would suggest that the Committee to be appointed on the subject should inquire also into the possibility of providing short ranges for recruits, who might be able to fire at short distances with small charges, and thus learn the elements of shooting before going to the long ranges. I hope the right hon. Gentleman will give this matter favourable consideration.

(9.42.) SIR H. FLETCHER (Sussex, Lewes): As Vice Chairman of the National Rifle Association, I feel deep interest in this question, and I think the right hon. Gentleman the Secretary of State for War is well advised in consenting to full inquiry into it. With the permission of the House, I will point out the facilities which the Association are prepared to offer to the

Volunteers. The Association are prepared to receive applications from Metropolitan and Home County Volunteer Corps for the use of certain targets at Bisley throughout the year 1891, excepting during the time when preparation is being made for the annual meeting and when the ground is being cleared after the meeting. They propose, also, to provide targets available for both class firing and match shooting, with 20 third-class targets and 24 first- or second-class targets. Those ranges have lately been extended to 300 and 800 yards respectively. The Council of the Association propose to allow class firing up to 300 yards at the 90-target butt, and field firing will be allowed on the long-range ground. Sleeping accommodation will be provided in the huts and barracks at nominal charges. Shelter contiguous to the ranges will be provided in the event of bad weather. It has been arranged that railway third-class return fares from Waterloo or Vauxhall to Brookwood shall be 1s. 6d., and the London and South-Western Railway Company have agreed to endeavour to give a more satisfactory service. The Council have also decided on the following rates of charges, which, however, will be re-considered if they prove either insufficient or excessive: — One ordinary target (class match or volley firing), for a whole day, 9s. with markers and 6s. without; for a half-day (forenoon or afternoon), 5s. with markers, 3s. without. Any pattern target will be supplied on due notice being given. The National Rifle Association is doing everything to encourage the Metropolitan Volunteer Corps to go down to Bisley. Barrack accommodation will be afforded at the rate of 9d. a night, and furnished rooms can be obtained at 2s. 6d. a night. Ordinary food and refreshments will be obtainable at reasonable rates, and arrangements have been made for the provision of ammunition on the ground. Regiments intending to fire any portion of their allowance at Bisley can have such portion delivered to the National Rifle Association at Bisley on intimating the same on their annual indent. Ammunition so received at Bisley will be stored in a suitable magazine, and will be ready for issue on the ground as required. As one who has been a Volunteer for over 30 years, and Vice Chairman of the National Rifle Association for a great part of that time, I can say that the Association have endeavoured to carry out not only the suggestions of the hon. Member for Sheffield, but also the suggestions of the Secretary of State for War, in endeavouring to provide suitable ranges from 300 to 800 yards for those who wish to go down to Bisley, which, after all, is not very far from London.

(9.48.) MR. BRODRICK: The discussion has been extremely valuable, if only on account of the announcement which the hon. and gallant Member for Sussex has been able to make. Yet it must be remembered that these facilities offered to Metropolitan Volunteers have only been rendered possible by an Act of Parliament, allowing the roads to be stopped where necessary. I desire to emphasise that fact, as it bears directly on the Motion of the hon. Member for Sheffield, and shows how the needs of other localities may be met. With regard to the suggestion of the hon. Member for Preston, although it is most important that ranges of full distance should be made available where possible, the Secretary for War will be ready to consider, in cases where this is not possible, the practicability of some such arrangements for short ranges as has been suggested.

(9.50.) GENERAL SIR F. FITZ-WYGRAM (Hants, Fareham): I have always been of opinion that, after men have been through their musketry training, all shooting should be at unknown ranges, and before shooting the men should run at least 100 yards at full speed. In war everything is bustle and haste, and those who have learned to shoot in the tranquil atmosphere of Wimbledon would not, I think, fare so well on active service. The proposal that rifle practice should be carried on with a small-bore rifle in a room simply reduces rifle practice to a perfect absurdity.

Question put, and agreed to.

Main Question again proposed.

THE MAGAZINE RIFLE.

*(9.51.) **MR. MARJORIBANKS**: I do not think the right hon. Gentleman opposite will grumble if I ask leave to refer for a few moments to the subject which the House discussed at some length a few days ago. There are very few subjects in which the House of Commons should take a more keen interest than the question of a complete re-armament of the Forces of the country with an entirely new weapon. The House of Commons is in duty bound to do all that it can to insure to the soldiers and sailors not only as good an arm as can possibly be obtained, but an arm which is unequalled by that of any other country. This is not too much to ask, seeing that England is the first country in the world in regard to the manufacture of small arms, and if we cannot turn out a better weapon than any other country we have no right to the position we now hold in regard to gun-making among the nations of the world. The House is specially interested in this question also, because it is the guardian of the public purse; and when such a change of weapon is effected, at a cost of many millions to the country, the House is bound to secure that the weapon selected shall be one that is, while really effective, of not too expensive a character. Since the last Debate on the subject I have had the opportunity of examining many rifles, and within the last two or three days I have had placed in my hands the rifle which has been just adopted by the Belgian Government. It is the latest form of the Mauser rifle. As the hon. and gallant Member for Galway will admit, the rifle is a very taking weapon in appearance. It is of very ingenious construction, quick-loading, and simple. The Secretary for War has again and again stated that the contract price for the British rifle as supplied by private firms in the country is £5 10s. I am in a position to give the exact contract into which the Belgian Government has entered for a supply of 150,000 of the new pattern Mauser from a private company in Belgium. The price is 81½f., including bayonet and sheath. The bare allowance for these accessories is 5½f., thus reducing the actual cost of the rifle to 76f., or practically £3. This price covers all the patent rights, and, further, out of this contract the company expect to recoup themselves for £112,000 expended in fitting up the new machinery for the manufacture of the rifle. The weapon is very much less complicated than the Lee rifle. The number of processes necessary for its manufacture is about 700, as against 1,600 in the British rifle. I do not wish to raise again the question that has been debated by the House, and I intend loyally to accept the decision which the House came to on that occasion. But I think the House has some right to feel that the Committee who selected the Lee-Enfield rifle were very much enamoured of the offspring of their own brain. Really a service is being rendered to the right hon. Gentleman and to his colleagues in stiffening them a little against accepting as absolutely correct all the conclusions arrived at by the Small Arms Committee. I will recapitulate some of the principal objections against the Lee rifle. In the first place, the bore is too small, especially because it necessitates the adoption of a bullet with a metal case instead of a simple leaden bullet. The system of rifling, again, though admirably suited to a plain leaden bullet, is not suited for a hard metal-cased bullet. The right hon. Gentleman the other night stated to the House, and very rightly stated, that the bore adopted is approximate to that which has been approved by all foreign Governments. That is true enough, but no foreign nation has adopted the system of rifling selected by this country. The system we have adopted is one in which the bullet is taken by the sharp edges of the grooves, and so is given the necessary spin; but the system adopted by foreign nations is one in which the bullet itself is moulded into the shape of the grooves, and is taken by the flat sides of the grooves. Objections are taken to many of the details of the rifle—to the magazine itself, to the system of the breech action, its complexity and method of working, to the necessity of having two methods of loading, and to many other details. I only refer to them roughly and briefly, but if even a few of the objections urged

against the rifle are well founded, it is certain that the decision of the Committee ought to be reviewed. The right hon. Gentleman and his advisers have admitted that, though they have issued and are issuing every week large numbers of Mark I., and have already sent out some 50,000 or 60,000 of them, yet they have decided it is necessary to manufacture a hundred rifles of Mark II., in which changes of a very material character are to be introduced for the purpose of experiment. I do not find fault with that decision. On the contrary, I think it extremely wise and proper; but what I want is that the Government will, at the same time as they make these trials, also make trials of other patterns of magazine rifles. I have been enabled to see many patterns of magazine rifles, but I am not an advocate of any one of them, and no inventor has got hold of me. I can assure the right hon. Gentleman there is an immense number of patterns which in many points resemble the pattern adopted by this country, and from those rifles I think the Government should endeavour to glean improvements for their own rifle. The Mannlicher, the Kruka, and the new pattern of Mauser, adopted by the Belgian Government, for example, in many ways run on the same lines as those of our new magazine rifle. In every one of those rifles there are faults. But they all have good points in which they excel ours. I admit the Government, having adopted a particular pattern, cannot go back upon it, but they can and should make improvements on it. My own view is that to bring these outside weapons into the experiments would be useful from another point of view, as they would supply a standard of comparison with the Government weapon. To take only one point of detail, I believe there can be no doubt the Government rifle can be improved in its method of closing. It requires no great mechanical knowledge to see that if a bolt locks in the breech where the explosion takes place, that form of locking will be stronger than a locking which takes place four or five inches back, as it does in the Government rifle. I think an improvement might be obtained in that respect easily, and without at all changing the system, or necessitating any change in the machinery for making the rifle. I make these suggestions as a well wisher to the War Office, and with the sole desire that the Army and Navy shall have the best possible weapon.

(10.8.) Mr. E. STANHOPE: There was one point at least in the right hon. Gentleman's speech with which I can entirely agree—indeed, we are all agreed, in desiring to obtain the best rifle we can. I cannot, however, go so far as to agree with the argument the right hon. Gentleman has addressed to the House with regard to the Belgian rifle based on its price. I do not mean to deny it is an advantage that a rifle should be cheap, but I do not admit that it is possible to make a real comparison between the cost of the Belgian rifle as made in Belgium, and the same rifle if made in England, especially having regard to our requirements as to interchangeability of parts.

Mr. MARJORIBANKS: I ought to have said the parts of the Belgian rifle are interchangeable.

Mr. E. STANHOPE: At any rate, it is very difficult to compare the price of a a rifle as made in Belgium with the price of one as made in this country. With regard to the proposal of the right hon. Gentleman, the Committee which chose the magazine rifle for the British Army did examine every rifle then in existence. It had every single form of magazine rifle before it, with the result that the principles contained in the present rifle were adopted as on the whole best suited for a military weapon. We have gone on improving. We have adopted all sorts of improvements up to the time of manufacture, and we shall not stop. I have no doubt that in a year or two other suggestions will be made tending to a simplification and cheapening of the cost of manufacture, but I cannot undertake to do what the right hon. Gentleman asks. We are going to try Mark II., but to try all other weapons against it would be as much as to say we propose to abandon the rifle and adopt a totally different principle. That is not contended for by the right hon. Gentleman, who is now prepared, partly perhaps because he cannot help himself, to adopt the rifle and adopt improvements to it from foreign weapons. The only effect of adopting the right hon. Gentleman's suggestion would be to throw back the manufacture now being carried on. Before we chose a new rifle we tried the Mauser rifle against it, and we were always trying other weapons. I hope these experiments will lead to improvements which will be to the advantage of the weapon as a whole. I have consulted the Adjutant General of the Army on the point, and he has stated with very great force that of course we cannot aim at finality in these early days of magazine rifles, and if we were to adopt another pattern it would be at least three or four years before the rifle could be issued to the troops. The Adjutant General concluded his Minute with these words—

> "This is the satisfactory position we now are in—we confidently believe that in Mark I. we have a good useful military weapon, and that Mark II. will be a thoroughly satisfactory arm in every way."

The Government are willing to submit the weapon to any fair test, but we cannot re-open the question by any fresh experiments, and so delay the general issue of magazine rifles to the Army. While I am willing to make every use of the suggestion made, I cannot consent to re-open the general principle of the weapon which has been adopted.

COAST DEFENCE AND SUBMARINE MINES.

(10.15.) ADMIRAL MAYNE (Pembroke and Haverfordwest): I give notice that I intend on the Vote to call attention to the question of fortifications and submarine mines. I find I am unable to do that in the Navy Vote because if my views were carried out there would be an augmentation of that Vote. If, however, these are carried out on this Vote the Vote will be decreased, and therefore I am at liberty to move my Motion. The position I take up is justified by the fact that not only has the Chancellor of the Exchequer lumped the two Services together, but one of the Admiralty officers has said that although we are not building ships we are building forts, as if the one in every way takes the place of the other. I hold that nothing that we can do in the way of fortifications and nothing that the Army can do enables us to reduce the Navy, and if the Chancellor of the Exchequer says that he is expending money on the Army and cannot expend it on the Navy, then we must look to some reduction in the Army Vote to augment that for the Navy. In 1801 the Army Vote was £17,750,000, and that for the Navy £17,250,000; that is to say, there was only a difference of £500,000. In the Waterloo year £22,000,000 was voted for the Navy, our population was 16,000,000, and our sea trade £4 per head of the population; now the population is 37,000,000, our sea trade £17 per head, and we have 1½ tons of shipping for every person in the United Kingdom. The value of our sea trade in 1800 was £70,000,000 and now it is £100,000,000,000. In 1890-91, when the area to be protected by the Navy is enormously increased, the gross Army Estimate is £21,000,000, and the gross Navy Vote is only £14,500,000. Attention has been called to this disproportion, not only by naval men, but also by military men; quite recently by no less an authority than Sir D. Jervis, at one time the Inspector General of Fortifications. He was also curiously enough the Secretary of the Commission in 1859 which came to the conclusion that, should the Fleet be unable to keep command of the Channel, our insular position would be at a disadvantage as it would enable a superior Naval Power or Powers to concentrate a large body of troops on another part of our coast more rapidly and secretly than would be done in the case of any neighbouring country having only a land frontier. And they then go on to report that it is necessary either to augment greatly the regular Army or to justify what has taken place. That Commission voted £11,000,000 for fortifications, and by a Return granted last Session, I find that the sum of £17,639,000 has been spent on fortifications, the greater part of which, if not all, are now utterly useless, being more obsolete than the ironclad ships which were built about that time. If the Vote for the Navy is adequate for the defence of the Kingdom no amount of alternative measures can make good the deficiency. Who is going to land an invading army on our shores? It is known, I suppose, to those who have studied the question that to land 75,000 men on our coast would require 120 transports at least, varying up to 4,000 tons, and having 50 men-of-war to protect them. If such an invasion were to take place, say in the Thames, where there are sands and shoals, and various other impediments, the Fleet would have to be far larger. I ask any gentleman who talks about the invasion of England, is it possible that such a fleet could congregate in any port within reach of England, get up steam and move the troops necessary without our knowing the circumstances well in advance? Such an invasion would require long and careful preparation. Transports would have to come from differents ports, and after the commencement of war, it would be our fault if any nation had transports. It is assumed you must either increase the Army or fortify. I have shown that a vast sum has been spent in fortifications. The fortifications at Portsdown have never been finished, and would be useless, and at Devonport and Dover things are equally bad, while at Malta some of the defences are as useless as those which I have seen at Gibraltar, where there is a spot which the engineers say requires a gun, in which no gun has been placed, because it would cost £500 more to place it there than in the place where it has been put. Guns are so placed that vessels with long-range guns could shell Gibraltar without themselves being within shot from the land. With regard to submarine mines, at present naval men dread a zealous engineer. If engineers did nothing, it is quite possible we might get our ships with safety in or out of our ports, but at the present time the whole aim and object of engineers seems to be to block our harbours when rapid egress and ingress would be needed. There are many places here where defences are not needed in the least. At Malta a few ground mines would be sufficient, and at Jamaica the system at present adopted is of little or no use. The latest and most ridiculous, perhaps, of all these submarine entertainments is the attempt to mine across the Severn Mouth where there is a considerable rise and fall of the tide, and where mining operations are dangerous principally to our own vessels. There should be some fixed policy on which these submarine mining operations should be carried out; and I maintain that if there is any mining at all, the scale of defence should be fixed by the Admiralty. If this were done there would be great saving. The Brennan torpedo has been worked on the principle that as a large sum was paid for it, it is necessary to spend more. The ridiculous system of defences for London never should have been undertaken. We are now going to starve the Navy, but the strength of the Navy cannot be reduced by one vessel though all our harbours are sown with torpedoes. I hope the Secretary for War and the First Lord of the Admiralty will take into consideration the transfer of the control of both forts and submarine mines and that being done that some definite system will be adopted for the protection of our coasts, and the defence of our ports by sailors.

*(10.31.) MR. BRODRICK: My hon. and gallant friend has taken the opportunity of making his speech after my right hon. Friend has exhausted his right of reply, and when the time is very far advanced for making the statement which is desired and expected upon the Army Estimates. If it had not been for the extremely ingenious piecing of the hon. and gallant Gentleman nobody would have connected the speech he has just delivered with the Army Estimates. It was in reality a speech in favour of the extension of the Navy. I will only say that, although my hon. and gallant Friend takes such a very low view of the advantages of fortifications, he stands in that opinion, if not in an absolute minority of one, at all events in a position very radically opposed to the vast majority of those who advise the War Office and the Admiralty in these matters. My hon. and gallant Friend says that any amount of fortifications will not enable us to reduce the Navy by a single ship, and I may add to that that with any addition to the Navy there still remains the necessity for fortifying our ports and the access to our dockyards, coaling stations, and arsenals. No naval strength can prevent the danger

of bombardment of these places. There never has been the smallest thought of starving the Navy in order to improve the military defences. On the contrary, I think the Army might, if anything, have reason to complain of the enormous amount of attention that has been paid to naval affairs during the present Parliament. What the Chancellor of the Exchequer has said and what has been the tendency of our policy has been to devote to each Service the expenditure required.

ADMIRAL MAYNE: What the Chancellor of the Exchequer said was that £38,000,000 were spent on the two Services and the Government could spend no more.

*MR. BRODRICK: Just so. Upon each the expenditure has been to meet requirements, and if anything the Army might complain of undue expenditure upon the Navy, though I do not put in any such complaint. But I make an appeal to my hon. and gallant Friend. My right hon. Friend is anxious to make his statement. We have to-night had a general discussion on a variety of military topics; and surely if the special discussion which my hon. and gallant Friend has initiated is to be carried on, it should be begun at an early hour of the night, and upon a concrete Motion, upon which we could come to a decision. Surely it is not convenient at a time when no formulated Motion can be put, and it can be but a hap-hazard, half-hearted discussion. I therefore appeal to my hon. and gallant Friend and to my hon. and gallant Friend who was about to follow him not to continue the discussion at full length, but rather, if they still wish to discuss the matter, to bring it forward on another occasion, when my right hon. Friend can reply to them.

*(10.35.) SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): I do not intend to occupy more than a few minutes, but after the speech of the hon. Gentleman I think it is incumbent upon me to point out the real question at issue. The drift and object of my hon. and gallant Friend's remarks went to show that there is included in the Charges coming before us a considerable sum for fortifications, garrisons, and stores for sea coast defences, which should fall within the Navy, and not the Army, Estimates. I think the subject initiated by my hon. and gallant Friend is very germane indeed to the general discussion on the Army Estimates, and I contend that the attitude taken up by the hon. Gentleman who has just spoken is not a proper attitude, though I appreciate his desire to terminate this discussion. The object of my hon. and gallant Friend is to point out that these charges as to sea defences ought to go into the Navy Estimates and not into the Army Estimates. First of all these charges are in some sense for the maintenance of a fleet, and all questions connected with the fleets are naval questions. Secondly, upon the distribution of British commerce depends the distribution of the coal depôts of the fleet and that is another detail of a purely naval character. Again, in the matter of the coaling stations, the coal-carrying capacity of the ships on each station has to be considered as a determining influence on the number and nature of depôts necessary, and that cannot be said to be a question for the War Office. Then the provision for the works and maintenance of a sea base depends upon the probable nature of the attack, and, inasmuch as all these ports can only be attacked by sea, that becomes a question for the Admiralty, not for the War Office. Under the Admiralty we have a body of specially trained officers for work which the War Office insist upon appointing military officers to do. For garrison purposes the War Office control entails the employment of an expensive staff; the Marine Forces under the Admiralty can and does do such duty, at a limited expense, so that, on economical grounds, there is an advantage. Again, the coaling stations abroad are a part of the organisation of naval stations, and under the present system there is a dual control. The Admiral on the station should have control, as he has knowledge of the requirements of the station. With mixed arrangements under the direction of the War Officeyou get duplication of stores. There is no reason why stores for the defence of coaling stations should not be under naval administration, and instead of the War Office sending special

transports you would have unification of stores, economy, and the prevention of confusion. I think that the hon. Gentleman who has rather harshly criticised my hon. and gallant Friend will see that there is a very serious matter involved in this question. In my opinion, my hon. and gallant Friend is entirely justified in bringing the matter before the House on this occasion.

(10.43.) LORD HENRY BRUCE (Wilts, Chippenham): There are certain points in the Memorandum issued by the right hon. Gentleman the Secretary for War upon which I should be glad to have information.

MR. E. STANHOPE: I rise to order. My Memorandum relates to the Army Estimates, and I am perfectly unable, by the rule of Debate, to answer questions now upon the Memorandum. I respectfully submit that questions upon it should be raised in Committee.

*MR. SPEAKER: No doubt it will be more convenient if the observations are made in Committee.

ARMY EXAMINATIONS.

(10.44.). MR. LABOUCHERE (Northampton): I have a little matter to bring before the attention of the right hon. Gentleman. I have not had the advantage of hearing the whole of the Debate this evening, but I did hear considerable complaint from hon. Gentlemen opposite of the difficulty of obtaining officers. Now, in connection with those complaints, I want to understand why it is that the right hon. Gentleman has decided that Latin shall be a compulsory subject for all students entering Woolwich and Sandhurst. Knowledge of Latin may be valuable, but I think it is infinitely more important that a military officer should know French or German, or, in fact, any modern language rather than Latin. In times gone by this was never a compulsory subject, and, in fact, my hon. and gallant Friend tells me that, though he passed creditably in Latin, it was not a compulsory subject. But the right hon. Gentleman has issued his ukase declaring that Latin shall be a compulsory subject, and why? On account of the Report presented to Parliament last year by the Director General of Military Education, and the demand is based upon the opinion expressed by the Civil Service Commissioners. This change has apparently been made at the suggestion of the Civil Service Commissioners, who say it is "unfair to the public schools" not to make Latin obligatory, because Latin is taught in those schools. Now, I am not one of those who desire to see the Army restricted to the upper classes, and those who receive what is called a classical education and a Latinist is not necessarily a better officer. A thorough knowledge of mathematics, French, German, Italian, and Russian, if you like, is of more value, and a man should not be refused entrance to Woolwich or Sandhurst on the assumption that, not having knowledge of Latin, he is not qualified for the specific training to fit him for an officer. I passed some ten years of my life in learning Greek, but I could not now pronounce a single Greek word, and certainly I could not translate a passage from any Greek author. I have found, if I may venture to say so, that I have increased in wisdom and sense since I devoted myself to other things than Greek. But, seriously, it is a cause of great complaint that Latin is made a compulsory subject, because it shuts out so many young men of the middle classes. We are told that the new regulation is to put public schools upon an equal position with others, but it really gives the boys from public schools a superior position. But the consequence is you have not officers enough. But do away with the absurd regulation, do not yield yourselves bound hand and foot to the masters of the great public schools. In these schools the education of a lad costs at least £100 a year, and generally more, and there is no doubt there are large numbers of young men perfectly eligible for being officers in the Army whose parents cannot afford such an outlay on their sons' education. Take the case of sons of officers. They are brought up in the traditions of the Army, and in all probability would make very good officers. But their parents are on half pay, and cannot afford the heavy outlay for a classical education. They give their sons a good practical education, but then they are told they cannot compete for entrance into the Army. Would it not be infinitely better for an officer to speak French or German than to talk Latin? I have been in various parts of the world, but I have never been addressed in Latin in my life. The only advantage is being able to read classical books, and I cannot say I appreciate that very highly with the miserable knowledge of Latin I possess. This change is really in the interest of the classes, and in order to keep up the aristocratic tone of the Army. But I say you should throw open the Army as wide as possible in accordance with the democratic ideas of the time. I do not wish to take a Division on this matter, but I do wish to call serious attention to it, and I do trust we may have an assurance that this regulation shall be swept away, and that we shall go back to the old system under which Latin was not an obligatory subject.

(10.50.) **SIR GEORGE CAMPBELL** (Kirkcaldy, &c.): I hoped somebody from the front Bench would have given us a favourable answer. I have a notice on the Paper upon this subject, and I hoped I should find the opportunity of showing the absurdity of the new regulation, but my hon Friend has raised the question in a better manner than I could have done. I thought we had advanced to the extent that we were beyond the reverence for monkish Latin, but now I find the Government taking this retrograde step, and making this concession to the classes and the schools of the classes. There is no doubt that it is hard upon many intending candidates. A certain notice was given, I know, but the matter was forcibly brought to my attention in connection with a particular candidate, an enlightened man, who was preparing for the Army according to modern ideas, but who now finds that entrance is barred from want of knowledge of Latin. Knowledge of Latin may be useful, I admit, if taught in a reasonable manner, but I object to its being made obligatory, especially in the case of military officers who may spend their time so much more usefully learning other subjects of practical utility in their profession. I hope I see indications from the right hon. Gentleman that he means to reply, and I trust we may receive some satisfaction on this point before we reach the Education Vote for the Army.

(10.53.) **MR. E. STANHOPE**: I have no right to speak again, but as I may be thought to be wanting in courtesy if I do not reply to the hon. Member for Northampton I ask leave of the House to do so. I confess, I never expected to find myself in controversy with the hon. Member on this subject. The question before the House is really one between the crammers and the schools. I represent the schools, the hon. Member the crammers. ["No, no!"] That is the view I take. I am still more surprised to hear the hon. Member for Kirkcaldy decrying Latin, for I have always understood that the children in every middle class school in Scotland are taught Latin.

SIR G. CAMPBELL: We are getting wiser now.

MR. E. STANHOPE: I am sorry to hear it. I have always thought that the success of the hon. Member's countrymen in various professions was largely due to their system of education. But seriously let me tell the house our reasons for the step. The fact is, that in 1888 the Civil Service Commissioners reported that the number of successful candidates from the public schools was less than it ought to be, and that Latin not being an obligatory subject, gentlemen who had received a liberal education at public schools were discouraged from competing.

COLONEL NOLAN: No, not discouraged, but given greater advantages.

MR. E. STANHOPE: We are doing our very best to get high scientific acquirements from the officers of the Army, and for that purpose candidates must have a good substratum of a really sound education. For that reason we think that boys educated at public schools ought certainly not to be discouraged.

COLONEL NOLAN: Nor are they.

MR. E. STANHOPE: They are the kind of candidates we want. To meet this state of things it was suggested by the Civil

Service Commissioners that Latin should be made one of the obligatory subjects. They pointed out with great force that there was this further advantage that if a boy thus educated failed after examination as a candidate for entrance into the Army he was still well qualified for another profession. We submitted this to the consideration of head masters of public schools, and found they were almost entirely in agreement with the views of the Commissioners. This change has accordingly been made. But I must dispute the suggestion of the hon. Member for Northampton as to this being a change in the interest of the aristocracy. Since I have been at the War Office I have done all I could to make the Army easier of access for poor men. It is desirable that the successful candidates for the Army should have a sound and really liberal education in all subjects in which boys are ordinarily instructed at the present time, because such an education is found to be the best foundation for that technical training which Army officers now require. It is said that this change will handicap boys who are educated abroad. That will not wholly be a disadvantage, for a boy intended for the Army will be all the better for being educated in England and under English traditions than in a foreign school. That being so, I have laid down the regulation which I believe will be for the advantage of the Service. That being so I believe the regulation is one that will be found of much advantage to the Service. I know that it would bring into the Army a good class of men, and that at the same time it would not keep out of the Army a poorer class of men. I trust, therefore, that the House will without any hesitation agree with me in thinking that the regulation is a good one.

(11.1.) MR. ROBY (Lancashire, S.E., Eccles): I believe it is possible that if the 10 years the hon. Member for Northampton thinks he had wasted upon Latin had been devoted to other topics, it might have produced a

formidable addition to the number of questions put in the House; but, nevertheless, I must join the hon. Member in protesting against the making of Latin a compulsory subject. I do not think that any good is done by enforcing the study of Latin for purposes for which it is not necessarily an indispensable qualification. As far as I can judge, an officer in the Army would so seldom find any use for his knowledge of Latin that there is no need to make it a necessary qualification; and the possible amount of knowledge of Latin a man would obtain in order to qualify him to pass an Army examination would in any case be worthless indeed. The opinions of the head masters of public schools ought not to be taken as decisive in this matter. Naturally, they recommend what best suits the system in use at the schools. I have not a word to say against Latin as a public school subject; but for many professions and occupations in life a really good knowledge of French and German would be infinitely better; it would be more useful, and to students themselves the modern languages would be more genial subjects of study. It is not wise at all to make Latin a compulsory subject for Army examinations. It may be desirable that the study of it at public schools should in no way be discouraged, but that is a different thing from making it compulsory for Army examinations, and thus making it difficult for men to enter the Army who might make good and useful officers. As far as my opinion may be worth anything, I give it entirely against either Latin or Greek being made compulsory subjects for examination for the Army.

CAPTAIN BETHELL (Holderness): I am glad the Secretary for War has resisted the hon. Member for Northampton on this subject, because a grounding in Latin is necessary to those who do not succeed in entering the Army and have to go to other professions, and the knowledge of French and German acquired at school is so superficial that it is a farce to examine candidates in those languages.

Main Question put, and agreed to.

Supply considered in Committee.

(In the Committee.)

ARMY ESTIMATES, 1891-2.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 153,696, all ranks, be maintained for the Service of the United Kingdom of Great Britain and Ireland at Home and Abroad, excluding Her Majesty's Indian Possessions, during the year ending on the 31st day of March, 1892."

(11.9.) MR. E. STANHOPE: I am afraid I shall have to ask the indulgence of the House, first of all because I have had occasion to address it many times and at great length this evening, and also on personal grounds, because I am afraid I hardly feel equal to doing justice to the very considerable task before me. I have more than once appealed to hon. Members to allow me to make the statement I have to make earlier in the evening; but I make no complaint on this score, because I have no doubt hon. Gentlemen felt that they had no other opportunity of alluding to subjects of importance; and I therefore cannot complain that they preferred to discuss them instead of giving me the opportunity I desired. On the present occasion I hope to be able to compress my remarks within very reasonable limits, for I hope to be able to explain very shortly the progress that is being made with the three great works which have been undertaken during the past three years. And here I venture to claim very considerable credit for our Finance Department. Although within the last four years we have been undertaking improvements in every direction, involving a large expenditure of public money, it may fairly be said that substantially we have never had a real Supplementary Estimate. We have been able to give such accurate information to Parliament as to all the steps which we have proposed, that practically the House has not been called upon in any case to vote additional sums in consequence of any excess of expenditure. For this result I feel that I owe—and that the House owes—a debt of gratitude to my hon. Friend the Financial Secretary and to the Civil Staff at the War Office. The first great work which has been undertaken has been that of improving the defences of our ports and coaling stations. It will be recollected that the Imperial Defence Act of 1888 made provision for this object, and it was then estimated that the work would be completed in three years. I am happy to say that this anticipation will be almost exactly realised. The armament of our coaling stations, according to the accepted programme then laid down, is on the verge of completion, with the addition of Table Bay, as to the armament of which an agreement was come to between Sir Thomas Upington and myself at the Colonial Conference. It is not necessary to dwell upon the enormous additional advantage which these protected coaling stations will afford to the Navy in all parts of the world. The armament has now gone out to Singapore, Hong Kong, Table Bay, Simons Bay, Colombo, Jamaica, St. Lucia, and Sierra Leone; and the last guns for Aden and the Mauritius are now awaiting shipment. The armament is also ready for Esquimalt, for St. George's Sound, and for Torres Straits; but in none of these three places, I am sorry to say, have the Colonial Governments yet undertaken the preparation of the necessary works for mounting the guns when sent out. The task of adding modern guns to the armament of our great fortresses at home and abroad is also nearly complete. For obvious reasons I do not think it right to enter into detail, but I have no reason to doubt that the end of three years will find almost every item of the work disposed of, and within the estimates originally explained to the House. I cannot allow this work to come to that state of completion without expressing the great obligation which the country owes to the Inspector General of Fortifications, General Sir Lothian Nicholson, for the energy which he has thrown into the work and for the extreme pains he has taken to insure—a matter of no small difficulty in works going on in all parts of the world—that the expenditure shall be kept within the sums assigned. I do not think that the House will feel that I am informing them of anything which they would not be glad to hear, when I say we are now going to avail ourselves of Sir Lothian Nicholson's services in the command of the important fortress of Gibraltar. Nor can I omit to congratulate the Director of Artillery, General Alderson, upon the satisfactory completion of the necessary armaments. The new Naval programme, undertaken since the contracts were put out for the guns for the Imperial Defence Loan, has thrown much additional work on his Department and on the Director of Contracts, and it is all the more creditable that so little delay has been experienced. The result of this expenditure has been that, whereas three years ago no modern guns were effectively mounted in any one of our fortresses or coaling stations, except the four big guns at Malta and Gibraltar, now a powerful modern armament has in all cases added largely to their security. Amongst the places so strengthened are Portsmouth, Plymouth, the Thames, Malta, and Gibraltar. Any one who looks at the table which I presented to Parliament three years ago, showing all the places where improved armament was to be mounted, will see that the work that we then undertook and which we are now completing is work which undoubtedly will tend to give increased strength to our fortresses in every part of the world. The second great work which has been undertaken is the improvement of barrack accommodation. The changes that are being made are not, however, limited to the funds provided by loan, because the increased attention paid to barracks generally, and to the comfort of the private soldier, has caused so many urgent demands for sanitary and other services, that I have found it necessary considerably to increase the sum provided for these purposes in the Estimates of the year. The work of barrack improvement has, unfortunately, been considerably delayed by the long and severe winter, and the preparation of plans is a long and troublesome process, which is, however, being actively pushed on, while in many directions considerable progress has been made in building. Visitors to Aldershot during the summer will see the new brick camps rapidly springing up, and I hope that the occupation of some of the new blocks early next year will enable the much-needed work of demolition to begin. The increase of the troops at Aldershot has necessitated an addition to the hospital accommodation, which is being provided partly at the Cambridge Hospital, and partly on a new site in North Camp. Active work is also going on at Shorncliffe, while at Dover the improvements are nearly complete. In London, the large alterations required at the Albany Barracks will be almost immediately begun, and the additional officers' quarters provided at Wellington and Chelsea Barracks are in active progress. In Ireland the opportunity has been taken to re-consider, upon comprehensive grounds, the distribution of the reduced number of troops to be maintained in that country. Lord Wolseley has, with great activity, visited almost all districts, and a scheme of distribution has been agreed upon. Its main features are included in the endeavour to concentrate as much Royal Artillery and Cavalry as possible at Newbridge and at the Curragh, which afford the best places of training. The garrison of Dublin will be reduced by one cavalry regiment. In the meantime, improvement is going on in all the Dublin barracks. The question whether it is desirable to discontinue the use of the remaining portion of the Royal Barracks has been very carefully threshed out by the Sanitary Committee and at the War Office. The result is a decision to occupy the barracks, after complete sanitary overhauling and partial re-construction, with a battalion of Infantry and the Army Service Corps, leaving the rest of the buildings to be occupied as storehouses, for which they are very conveniently situated. Good progress is being made at Wellington, and the new barracks at Grangegorman will be partially occupied by cavalry in a very few months' time. Work is also going on at the various fortresses and coaling-stations where improved or additional barrack accommodation is required; though, in several cases, the negotiations with the Colonial Governments for the necessary land have caused very considerable delay. But, taking the work all round, it will be seen that very considerable progress has been made in barrack improvement. Now I come to the third head in which progress has been made. We have during the past year pushed on in all directions measures for the speedy mobilisation of our defensive forces in time of war. These measures are based, not upon preparations for sending a large force abroad—and for this reason alone they cannot properly be compared with those of Continental armies—but upon the idea that, while we ought always to be able at short notice to send a comparatively small force abroad, and while we must make provision for strengthening certain colonial garrisons, our duty also is to organise all our Defensive Forces, Regular and Auxiliary, into the most effective engine for the defence of the country against invasion. It is not necessary for me to recapitulate the general features of the scheme, which have already been explained to the House, and upon which we are working. We have taken stock of all our available resources, and after making full provision for the necessities of the garrisons of ports and coaling stations at home and abroad, we are organising all our remaining home forces into an army of defence. The general officers of districts have received detailed information as to the composition of its various sections, and as to the points of mobilisation, concentration and storage; and at the War Office itself every effort has been made for as complete decentralisation as is possible, which will put it in the power of district authorities to carry out the steps necessary for mobilisation, without reference to headquarters. That decentralisation of stores in particular has, to a large extent, been effected. The stores, for instance, required for the troops at Aldershot, which, under the old system, might have taken six weeks to get out of Woolwich, are now actually stored between Aldershot and Southampton, at which latter place some of the heavier equipment is placed, so as to be ready for immediate shipment in case of the Aldershot troops having to be sent abroad. There are other centres, also, where the scheme of decentralisation is practically complete. I hope that the House fully understands what is intended, and what is, to a large extent, actually carried out. On the occurrence of an emergency the troops (mainly drawn from the Regular Army) forming the first line of defence will concentrate at the appointed stations, which are all situated at important railway junctions, enabling them to be transported, with the least possible delay, to the threatened district. Every detail necessary for this purpose is being laid down, and when our store arrangements are quite complete the stores necessary for them to take the field will be either at their peace stations or in magazines situated at or near to the points of concentration. Behind the Army is the great Volunteer Army, consisting of 19 brigades of Infantry with 80 batteries of Artillery, who will assemble at the points where danger is principally apprehended, and who will find there all that they require for encampment. In this country, with the immense variety in the conditions of service, the details of such a scheme are specially difficult to arrange. But they are all being worked out so as to leave nothing uncertain when the emergency arises. Among the many points in which advance has been made—because in this year I have to speak mainly, not of new principles, but of the manner in which these principles have been applied—I may mention the attention which has been paid by the Army Medical Department to the formation of base hospitals, and all the necessary organisation required for the wounded. A system has also been devised for providing in every Volunteer brigade a bearer and a supply company, so as to render them independent of the Regular Army in these respects. Much progress is being made in both cases. The demand for horses on mobilisation has been thoroughly dealt with by the Remount Department, which was founded three years ago. We have now actually upon the register 14,000 horses, of which over 3,000 are riding horses, broken to bit and bridle and suitable for cavalry. And here I cannot help saying how much we are indebted to the masters of hounds who have registered to a great extent the horses under their control, which every one will admit to be the horses exactly suited to our purpose and such as our cavalry would require on an emergency. An increasing number have been registered by masters of hounds, whose patriotic action in the matter cannot be too highly commended. And when it is remembered that of the large number of horses required by the cavalry on mobilisation a very large proportion are draught and not riding horses, our position will appear still more satisfactory than it does at first sight. I may add that the great experience now gained by the officers of the Remount Department will enable them at a critical time to lay their hands on the remaining horses necessary for home defence with very little delay. We have now by law obtained the power to take those horses whenever any difficulties may arise, and therefore in this most important matter of horses it is difficult to exaggerate the improvement that has taken place during the last two years. But in the course of framing a scheme for the general defence of the country we have been led very carefully to consider the question whether we are satisfied that the number of regular troops asked for is really necessary, and whether the increased strength of the Navy and the advancing efficiency of the Volunteers do not justify some reduction. Having regard, therefore, to the purposes for which our regular Army is required, I would venture to make the following remarks upon the different arms of the Service. We have sufficient cavalry for all expected requirements. In an enclosed country like England cavalry could not easily operate in large bodies, and after providing for the modest requirements of any force we should send abroad we should still have enough left for the work they would have to do. The cavalry manœuvres sanctioned last year have been of very great value. They have exposed certain defects, and they have taught useful lessons. To what changes, if any, they ought to lead in cavalry organisation is a question to which much consideration is being given. But upon that point I am not able at present to give any information to the House. We have barely enough Royal Engineers for the requirements of colonial garrisons and of home defence; and the demands upon this corps for all sorts of practical purposes in every part of the world tend rather to increase; but here we have a considerable body of Volunteer engineers, upon which we could rely for assistance in the work of home defence. We have just sufficient Horse and Field Artillery for our requirements. It is assumed, of course, that it is not necessary to associate batteries of Regular Artillery with our Volunteer Army. Indeed, the steadily increasing efficiency of the new batteries of position makes this an assumption which can be made with safety. With regard to the Garrison Artillery, it is more difficult to speak, because its whole position has been materially altered by the introduction of the new and complicated armaments now in use. Everything points to the necessity for coast defence of a small picked body of men with special acquirements and practical knowledge of the armaments of each place to be defended, who must be supplemented by a larger body of less skilled, and to a large extent af Auxiliary Troops. I hope, in the present Session, to be able to make proposals in this direction, but it is in the meantime premature to discuss the matter further. It is upon the strength of the Infantry that difference of opinion is most likely to arise. I state the case, therefore, as it is presented to me from a military point of view. According to the principle accepted by Parliament at the time of the introduction of the territorial system, it was always intended that for one battalion maintained abroad one should be kept at home to supply the necessary drafts. This is not, and has never been, the case, though the disproportion between the number of battalions abroad and at home is beyond the normal, in consequence of the occupation of Egypt. It may be added to this that it has been found necessary first of all in 1885 to add 10,000 men (of which 8,000 are Infantry) to our Indian Establishment; and, secondly, since that time, to increase somewhat the strength of certain colonial garrisons, and to make also provision for further reinforcement at short notice in time of emergency. At this moment we have 65 battalions at home, besides the Guards, and 76 abroad, the drafts for the extra battalions being provided by larger depôts maintained at home. I think that mere statement from me without one word further will show that no reduction in the number of battalions can be thought of. Then it may be asked whether they are maintained at an excessive strength. The establishment of the battalions first for service is fixed at a much higher figure, but the regular home establishment now is 720 rank and file. Looking to the fact that we have annually to provide as drafts for the battalions abroad no less than 170 men who must all be over 20 and have had six months' training, and that we must at least be able to maintain our home battalions, after providing for these drafts, in a reasonable state of efficiency for home defence and for the other purposes of our Army, it is, I think, very difficult to avoid the conclusion that the establishment we maintain is no more than adequate. There are just a few other points as to which I ought to say a few words. They shall be very few, because I think I have trespassed at enormous length on the attention of the House to-night. As to the division of the Vote that took place a few years ago between the Army and the Navy, the Navy has accepted the responsibility of accounting to Parliament for its portion of the Vote; and, in respect to the division of the stores, both the Army and Navy will co-operate to carry out what is desired. Similar steps to those we have taken at home remain to be taken on foreign stations, but that matter requires further investigation, and I do not think I am entitled to express an opinion on the subject at present. And there is one other question I should mention. The Committee will remember that when I spoke last year of the changes that were taking place in the administration of the War Office, I also undertook to take an opportunity of mentioning the changes we propose as to Promotion Boards. Though I cannot even now give any details—for I should be detaining the Committee too long—I can state, generally, the effect of the changes we propose to make. Everybody will understand that under the present system Lieutenant Colonels will not be promoted to be Colonels, except by selection; and, therefore, we find ourselves in this state: that Lieutenant Colonels, after promotion abroad to regimental commands or service on the Staff, will be placed on half-pay, unless they elect to take retired pay. It would be obviously unfair to allow officers in that position to remain on half-pay, unless, in the opinion of the Authorities, there is a chance of their obtaining employment or promotion. A Promotion Board is, therefore, necessary. We propose to appoint a Board which will be composed of five general officers, three of whom will be senior Generals holding command in the United Kingdom—not, of course, connected with the War Office. Independent of that, three senior officers, for the time being in command in the United Kingdom—and who are willing to serve—will be members of the Board, and the remaining members will be two general officers added according to the particular branch of the Service which is under consideration. That is to say, if a question of promotion in the Cavalry is under consideration there will be two Cavalry officers on the Board, and if a question of promotion in the Artillery is under consideration there will be two Artillery officers on it, so that such arrangements have been made that each branch of the Service will have the opportunity, through its representatives, of taking care that the claims of any particular officer are fully considered before they are rejected. As far as practicable, in making selections, seniority will be observed in order to avoid supersession, but where a younger officer has special qualifications to meet special requirements his selection must necessitate supersession. I believe the Services would recognise that the Board has been framed with an earnest desire to give every officer, whether he has seen foreign service or not, the fullest opportunity of selection. There is one change contemplated during the year as to which I have not been able to enter into details; I refer to the change introduced into the Royal Artillery. I have taken money in the Estimates to enable that change to be carried out, but until the House can be placed in possession of this very important change in its complete form, I think the best thing I can do is to abstain from speaking of it. I think I have stated enough to the Committee to show that the past year, certainly the three years that have passed, have not been inactive, and that we have done much, at any rate as much as we think we could do with all the great interests that we have to protect on one side or the other, to improve the general defensive position of the country, and to increase the efficiency of the defensive forces to whom that defence is intrusted.

(11.51.) COLONEL NOLAN: I always admire the statements of the right hon. Gentleman, because he always manages, as on the present occasion, to tell us extraordinarily little, but to make that little extremely interesting. The right hon. Gentleman has told us that he has placed his heavy stores between Aldershot and Southampton instead of at Woolwich. I rather doubt, however, whether stores can be obtained with such extreme rapidity from the new station if it takes so long a time to get them from Woolwich. I agree that the acquisition of the horses mentioned by the right hon. Gentleman is a valuable one, but as to the scheme of organisation put forward by him I would point out that it was purely a paper organisation. The War Office produces every year a new scheme for the defence of the country. I wish the right hon. Gentleman had gone a little more into figures. His usual custom is to be extremely explicit, but in his speech to-night he has sketched out everything vaguely. He told us he had organised 19 brigades of Volunteer Infantry, but he did not tell us how many men there were in them. Then he told us there were 18 batteries of Volunteer Artillery. Does he mean that they all have field guns, or that they are batteries of garrison artillery? I did not know that there were 18 batteries of Volunteer Artillery at the present moment. The right hon. Gentleman has also been extremely vague on the question of barracks. As an Irish Member, I positively object to the policy of Lord Wolseley in Ireland, as sketched out by the right hon. Gentleman. The right hon. Gentleman says the greater part of the troops in Ireland are to be concentrated at Newbridge and the Curragh.

MR. E. STANHOPE: The Cavalry and Artillery.

COLONEL NOLAN: In that case it is a matter of less importance, but it is still of considerable importance. The troops are accustomed to be in town quarters, and like to be there for a large part of the year, whilst the inhabitants of the towns like the troops and make money out of them. I do not say the men will not be better instructed if concentrated in camps; but the system is very much against the interests of the inhabitants and against the comfort of the troops, whilst it is opposed to the custom of every European nation.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

MUSEUMS AND GYMNASIUMS BILL.
(No. 159.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday next.

POSSESSION OF GAME BILL.

On Motion of Sir John Dorington, Bill to amend the Law in reference to the illegal possession of Game, ordered to be brought in by Sir John Dorington, Mr. Mount, Mr. Whitmore, and Mr. Darling.

Bill presented, and read first time. [Bill 226.]

House adjourned at ten minutes after Twelve o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Friday, 20th February, 1891.

LORD TRIMLESTOWN.

Petition of Christopher Patrick Mary Barnewall of Trimlestown in the county of Meath, and of Turvey in the county of Dublin, Esquire, claiming a right to vote as Baron Trimlestown at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

THE EDUCATION CODE.

QUESTION—OBSERVATIONS.

*LORD NORTON: My Lords I beg to put a question to the noble Lord the Lord President of the Council of which I have given him private notice. It is to ask if he can account for the fact that although the New Education Code has been delivered to Members of the House of Commons, and has even been reviewed in the newspapers, it has not yet been distributed in this House? This is a matter of special importance, because it is only within 40 days of the Code being laid on the Table that attention can be called to any of its provisions with the view of taking the opinion of Parliament upon them before it becomes law.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I am very sorry I cannot account for the Code not having been delivered. It was laid on the Tables of both Houses at the same time, and I suppose the printers have been unable to distribute it to the Members of both Houses simultaneously. I believe, however, it is now in course of distribution to your Lordships.

FACTORY AND WORKSHOP SANITATION BILL. [H.L.] (No. 28.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD THRING: My Lords, I shall detain your Lordships a very short time upon this occasion, in asking for a Second Reading. This is a very unambitious Bill, but I hope it will prove a profitable one. Its chief object is to remove the greatest of the evils which were shown to exist in the course of the inquiry before the Sweating Committee in the foul dens—no words are strong enough to describe the horrors of them—in which the humbler classes only too often have to work. It will only be necessary for me to explain very shortly what the existing law is, and then to state briefly the amendments which I propose to make in that law. The existing law is contained in two Acts, one is the Public Health Act of 1875, and the other is the Factory Act of 1878. The stronger sanitary regulations are contained in the Factory Act; and, as I propose to consolidate the law, I have set out those clauses in Clause 2 of my Bill. Those regulations comprise the maintenance of cleanliness, and freedom from effluvia arising from drains, they provide against overcrowding, and secure ventilation, the removal of gases, and other injurious products. There is also a further clause providing for whitewashing and painting within certain times. This law the facts of the case, as given in evidence, show to be sufficient, where it is properly administered, and the remedy that is required is not so much in relation to the law as to its administration. With respect to the administration of the law, workplaces—for that, perhaps, is the most generic term to use—are divided into two classes: first, workplaces under the Factory Act, and, secondly, workplaces under the Public Health Act. Workplaces under the Factory Act are really and truly, in the first place, factories which are not used as dwelling-places; and, secondly, workshops in which children and young persons are employed. Those are the only class of workplaces to which, under the Factory Act, the Sanitation Clauses apply. All other cases come under the Public Health Acts. First, I must explain very shortly what the factories are. They are defined to be buildings in which mechanical power, such as steam, is employed in conducting certain processes, or used in certain trades which are unusually unhealthy, and, therefore, are considered necessary to be included in the Act, such as calico-printing and bleaching processes. Workshops, on the other hand, are workplaces to which the employer has the right of access. With respect to the places I have mentioned, the only ones under the Factory Acts are those which are not used as dwelling-houses. All the rest are under the other Act. Now, as to the remedies. The mode of dealing with these places proposed is principally by inspection. Inspection under the Factory Acts is conducted by the Inspectors appointed for that purpose; inspection under the Sanitary Acts is conducted by the ordinary Sanitary Inspectors. In these cases inspection is absolutely necessary. With respect to the factories, I have left them as they are now under the Act; but I have also added workplaces with more than 50 people; so that all large workshops will be under the Factory Inspectors, and all other workplaces will be under sanitary inspection. It is perfectly certain that at the present moment the local Sanitary Inspectors are, on the whole, slack in their duties, and there is great difficulty in enforcing the regulations. Therefore, what I propose to do is to place the inspection of workshops entirely under the County Councils—to give them full control over the whole of the local inspection. By full control I do not mean to appoint the local Inspectors; but I mean, if the local Inspector does not do his duty the County Council may remove him and replace him by another person. Now, with respect to the proceedings by which this law is enforced apart from inspection. They are principally proceedings at Petty Sessions. If the regulations are not complied with the Inspector may take proceedings in Petty Sessions, and the Court of Petty Sessions may make an Order that the Local Authority shall do what is necessary if it thinks fit. Those proceedings have, I think, so far acted pretty well, and I have retained them. I have also added here an important clause. The Inspector may himself desire the person who has neglected to comply with the regulations to do so. He may say, "So-and-so ought to be done; such-and-such filth ought to be removed," the person having the right to appeal; but if that direction is not appealed against the law will immediately become operative. The man may say, "I do not think this is legal," and he may appeal against the Order, but if not the Court will confirm the Order. The truth is that in these cases what is wanted in the way of remedial measures is in respect of what we should call trivial matters, and what is principally required is that they should be cheap and ready and easy. So far with regard to that part of the Bill. What I have endeavoured to do is to put under the Sanitary Law all the large workshops. I have taken away the exemption which existed, that if used as dwelling-houses they are not to be inspected. With respect to workshops, I have not altered the ordinary law, but I have provided for enforcing that law by making the County Councils masters of the situation. Then with regard to the other matters, they are not very material to notice now. Clauses 5 and 6 were taken from the Victorian Act on the subject. This was found in Victoria exceedingly beneficial for the purpose of preventing sweating; that is to say, that the heads of factories should keep a list of outworkers which should be open to the inspection of proper officers. The truth is that in a great many of these wrongs which are committed, these evils which exist, you will find that a man keeps a factory which is very well regulated, but, at the same time, he has a great number of outworkers—these miserable people of whom we have heard so much, and whose dreadful state is so much to be deplored. In Victoria, owing to the fact that the Inspectors can ascertain who those workers are, they are enabled to make the necessary inquiries, and to find out their condition; and that has been found to operate as a great check upon sweating. I may refer to the recent book of Sir Charles Dilke, on *Greater Britain*, in which he notices this Act of Victoria and its beneficial results. Then Clause 15 prohibits women using hammers in workshops. The necessity for that provision arises from this fact. In the Cradley Iron Works the women use an instrument called an "oliver." This instrument is used by means of a treadle, and when the hammer is of great weight it puts a pressure upon the strength of women which is altogether more than they should have to endure. It was also proved to us upon the Sweating Commission that it was a very unhealthy employment in the case of women. On the other hand, I do not think the prohibition in regard to work of that kind ought to be altogether absolute, because when the treadle is used and the hammer small it is perfectly innocuous. I have put the limit of weight at 4 lbs., but if that is objected to it can easily be altered for any other figure that may be desired. Then it was proved to us that a great many women are employed in welding heavy chains, and they have also to cut cold iron for that purpose. Such an operation is certainly beyond the strength of women, and I have therefore inserted a clause prohibiting it, when the weights are too heavy and the links beyond a certain size. That is, in reality, the whole of my Bill. I believe that, as a practical measure, it will have a very great beneficial effect indeed. In the first place, it removes the difficulty which has been found to exist under the Factory Acts. Under those Acts the Inspector has great doubts as to his jurisdiction. Another defect arising under the existing Acts which it will remove is that there is a dual authority. The Factory Inspector and the Sanitary Inspector have jurisdiction over the same place. The Factory Inspector is directed by that Act, for instance, to apply to the Sanitary Inspector when any defect arises from drains. It is quite clear that such a dual authority is extremely injurious, and, therefore, I have entirely removed it by giving the Factory Inspector complete jurisdiction wherever it is required. I do not think I need say much more in explanation of the Bill. I have not attempted to shorten the hours of labour, or to go further into the many difficult problems which are connected with the labour question; because I do not myself think we had sufficient evidence before the Sweating Committee to enable us to judge of what would be the proper course to be taken with regard to those most difficult and complex questions. I conclude by recommending this Bill to your Lordships, as I believe it will bring light and cleanliness into those dark spots of which we heard so much on the Sweating Committee, and brighten and make healthy what must be admitted to be the harsh and unlovely existence of many a humble artisan and many a hard-working woman. I beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Thring.*)

*THE EARL OF DUNRAVEN: My Lords, I should like to say a few words on this Bill, not as your Lordships may imagine to endeavour to dissuade you from giving it a Second Reading, for I hope it will be read a second time, not only on account of the intrinsic merits of the Bill itself, but because, if it is not read a second time, another Bill, which perhaps I may be pardoned for thinking far superior to it, will not be given a Second Reading. But there are one or two matters connected with this Bill which it appears to me will militate against the very object which the noble and learned Lord opposite wishes to bring about. My noble Friend spoke of the necessity for inspection. I wish to point out to him that the condition precedent of a thorough inspection is a complete system of registration; because one of the difficulties which was most clearly proved in evidence before your Lordships' Select Committee on the Sweating System was the great difficulty that was experienced in discovering where the smallest class of workshops commonly called "sweating-dens" were situated; and this Bill contains no provision whatever for registering workshops or workplaces. Factories, of course, are registered under the existing law, but workshops are not. Almost the same remark affects Clause 5 of the Bill. That is a very useful clause, which requires a record to be kept of outside workers—or work that is put out, work that is sub-contracted for, the work, in fact, that goes into these small sweaters' dens, and places of that kind. But the noble Lord has in this Bill made a new definition of what he calls "workplaces," that is to say, all workshops where less than 50 people are employed. I imagine that would be 99 in 100 of all the workshops in the country, because there are not a great many in which more than 50 persons are employed, and as "workplaces" are omitted from this clause no register of outside work will be kept, practically speaking, in any of the workshops in the country. I have no objection whatever, on general principles, to the powers and authorities which the Bill proposes to give to County Councils; but I would point out that the way in which that power is granted by the Bill will cause a great deal of confusion. The County

Councils are charged with superintending the inspection of workplaces; that is to say, all workshops where less than 50 people are employed. The effect of that will be, I should imagine, that the Local Authorities would not do their duty in the matter; that is to say, that in order to save themselves from the obloquy of raising the rates they will do nothing, and will throw the responsibility upon the County Councils, preferring that, as far as possible, their local work should be done for them and paid for out of the county rates. That is not a matter which I think will commend itself to your Lordships. Then the County Councils are given by the Bill power to dismiss sanitary officers; but the power of dismissing the sanitary officers is not, at the same time, interfered with in any way as regards the Local Authorities. Therefore, the unfortunate sanitary officers will be under the thumb of two masters, and I am afraid that their difficulties in doing their duty will be somewhat oppressive in that respect. I have made these remarks because, as it appears to me, those provisions in the Bill to which I have referred will destroy the very objects which my noble Friend has in view; and I trust if the Bill is read a second time, as I hope it may be, he will consider those matters carefully before the Bill reaches another stage.

*LORD DE RAMSEY: My Lords, there are at present no fewer than five Bills, which have either been presented to Parliament or shortly will be, dealing with this question. The first is a Government Bill, which I am informed is down for Second Reading in another place next Thursday. I have a proposal to make, which I trust will meet with your Lordships' approval, and with the approval of the noble Lord who has moved the Second Reading of this Bill. As there are so many Bills before Parliament, I hope the noble Lord will wait until the Government measure has been read a second time, and then consent, if your Lordships approve, that this measure should go before a Committee at the same time as the Government Bill. I do not know whether he has seen the Government Bill; but I think I can assure the noble Lord that he will find clauses in that measure which will meet with his approval. Perhaps I may be allowed to quote one instance as showing why I think the noble Lord would do well to consent to that course. This Bill deals almost entirely with sanitation, which is largely the ground of the Government Bill; and were it to be proceeded with now, some confusion would be created owing to the introduction of fresh terms differing from the Factory Act of 1878. This Bill does not, for instance, repeal clauses in the existing Factory Act; and workshops should have, according to this Bill, a different meaning from that employed in that Act. Again, the Bill does not re-enact the qualification requiring the occupier to have a right of access; and the use of the term "workplace" might be likely to lead to an undesirable interference with private home work. That is a very important point, and your Lordships will remember that in our discussion last year on the Sweating Committee's Report that matter of labour in private dwellings engaged your Lordships' attention a good deal. Under the circumstances, therefore, I ask your Lordships to read the Bill a second time, on the understanding that the noble Lord proceeds no further with it until there has been an opportunity of discussing the Government measure.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, I hope, as I was to some extent instrumental in passing the Bill of 1878, which consolidated the Factory Acts, I may be allowed to ask the noble and learned Lord one question. It has already been pointed out by the noble Lord who has just sat down that the Definition Clause of this Bill and that contained in the Act of 1878 are different in one important particular. Under that Act it will be found that there is no limit of 50 persons being employed on the premises, but that the workshop must be a place under the control of the master, and to which the master had access. The object of that provision, as the noble and learned Lord must know well, because he drew the Bill according to my instructions, was to prevent the law from applying to domestic houses, where members of the same family are at work on their own account, getting their own living; but, as the noble and learned Lord has drawn his Bill, the words applying to those cases are left out in the definition of workshops and workplaces, and according to Clause 17, any place where, say, the daughters of a family were at work for a living, having no master at all, but simply doing their own private work in their own house, would come within the provisions of this Bill. Was that the intention of the noble Lord, or not? I would ask him, therefore, whether those words of definition in the Act of 1878 were purposely left out?

*LORD THRING: With regard to the criticism which has been made on the definition of workshops and workplaces, I think "workshops" is accurate. Workplaces are under the present Act, the Public Health Act, and are subject to sanitary inspection without any conditions whatever. What I have done is this: I have really and truly only levelled up workshops with more than 50 workers into the class of factories, in order to put the people employed there in the same position as factory workers. But I have not, as far as I understand (though I will certainly endeavour to alter my Bill if that be so), given the Inspectors a greater right to enter private houses than is contained in the two Acts together at the present time; because, although the Factory Acts to which the noble Lord has referred exempt workshops which are used as private dwelling-houses, and places to which a manager has not access, they are still under the jurisdiction of the Sanitary Inspector; and what I have wished to do is to strengthen the powers of inspection of the Sanitary Inspector, and to put the larger workshops under the Factory Inspectors. But I think the noble Lord will see that I have not authorised any invasion of private houses or mere family workplaces by the Inspector to a greater extent than under the existing law. The difference is that in one case the Factory Inspector has access, but that the Sanitary Inspector has access in every case. I do not know whether I have made myself clear to your Lordships. With respect to the proposal made by the noble Lord, that I should go no further with this Bill until the Government Bill has been read a second time in the other House, of course, if he insists upon it, I must submit; but the only question is whether it would not be better to pass this Bill through your Lordships' House, and then send it down to the other House to be committed with the other measure.

On Question, agreed to; Bill read 2^{a} accordingly, and committed to a Committee of the Whole House.

FACTORY AND WORKSHOP BILL.

[H.L.]—(No. 27.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE EARL OF DUNRAVEN: I hope your Lordships will permit me to say a few words concerning this Bill. It is somewhat more ambitious in its scope than the measure to which your Lordships have just given a Second Reading, although in some respects it may be said also to deal principally with sanitation. This Bill is founded principally, if not entirely, upon the evidence that was brought before your Lordships' Committee of Inquiry into the Sweating System, and was designed to meet, if possible, some of the graver evils and scandals which were proved before that Committee. Into the question of the general state of things that was then revealed I do not propose to go at all. The evidence before that Committee resolved itself principally into three classes. It was shown that men in some of those sweating trades worked the most inhumanly long hours for most inadequate pay. Well, that question of adult male labour I have not attempted to touch in this Bill. Whether it may ever be considered right to restrain men from working these inordinately long hours, and from practically, in consequence, compelling other men to do the same thing, I will not discuss at all. It is, at any rate, a matter that is not within the range of practical politics at present, and I have nothing whatever to do with the question of male labour in this Bill, except in so far as it extends to workshops where adult males only are employed the sanitary provisions which are applicable under the Factory Acts in places where women or young persons or children are employed. Then there was a great deal of evidence given of the most valuable kind as to the terrible insanitary condition of work places, and the horrible want of the ordinary decencies of life. I have endeavoured to deal with that question in this Bill. The other fact that was brought out in evidence was the facility with which the law was broken, I mean the facility with which the law affecting protected persons, the law restricting hours of labour and so on, was broken in the smaller workshops and sweating dens, the inevitable result being that work was attracted out of factories, and large and well conducted workshops into these ill ventilated, badly drained, and insanitary small workshops. My principal object in this Bill is to make the existing law more universally applicable. I have no great fault to find with the law; I believe the law is sufficient as it is. What I complain of is, that the law cannot be applied, that the Act of 1878 contains so many loopholes for escape, so many modes of evasion, that such facilities are given to breaking the law that not only would it be easy to drive a coach and four through it, but there would be no practical difficulty in the whole Coaching Club driving through the provisions of that Act at any time if they thought fit. I also aim at quickening procedure. I have endeavoured to bring it about that the law shall be enforced equally in factories and other places where work is carried on. I have no doubt, myself, that it would be far better if all the work of the country could be carried on in large factories and workshops, properly conducted and inspected, and where the law is properly maintained; but that is impossible. It would be most unwise, most tyrannical, to interfere with home work. The great difficulty in dealing with questions of this kind, the great difficulty in factory legislation, is to reconcile those two principles; not to interfere too much with the liberty of the subject to work as they please in their own homes, not to prevent honest men and women and girls from earning an honest livelihood at home, but at the same time to extend as far as practicable the laws which have been passed for the benefit of labour to labour employed in places where that law is not at present applicable, or at any rate is not applied. Your Lordships must recollect that the mere fact of restricting hours of labour, and of insisting upon proper times for meals, and, in fact, the whole effect of factory legislation is to a certain extent to increase the cost of production; and, therefore, if work can be carried on in small workplaces, which are not known to the Inspector or where the law can be evaded, the cost of production is smaller in those places, the work is more cheaply done in them than in larger factories and workshops. The result is that a fictitious advantage is given to the sweater, work is naturally withdrawn from the larger workshops, and sweating, and the whole system of subcontracting, about which we heard so much before your Lordships' Committee is encouraged. As regards the provisions of the Bill, I will deal first with the question of sanitation, and I lay down the minimum amount of cubic space per person that is to be provided in all factories and workshops. I take the moderate estimate of 250 cubic feet by daylight, and 400 cubic feet by gaslight. I do not interfere in any way with the existing powers of the Secretary of State, but what I do is this: The cubic space to be allowed per person in factories is at present legally determined by an Order of the Secretary of State. I wish to embody the order and general rule in an Act of Parliament laying down the minimum: it should be at least 250 cubic feet, and 400 cubic feet. But I wish by no means to be understood as saying that that space is sufficient; and if your Lordships read this Bill a second time and it goes into Committee, I shall certainly not oppose any extension of that cubic space. Then I also propose that no work shall be carried on in underground places or cellars which, according to the law, could not be inhabited as dwellings legally. I do not think it fitting or right that human beings should be allowed to work from morning to night, and in many cases from night to morning too, in places which the law says are unfit for human beings to live in. That is not a matter which I think will meet with any opposition in your Lordships' House, and therefore I will pass very lightly over it. Then I come to a more important matter, the providing proper sanitary conveniences. Nothing was more disgusting than the evidence given before the Sweating Committee as to the condition of many workshops in those respects. The accommodation was absolutely insufficient, and in a great many cases—in numberless cases—there was no separate accommodation for the two sexes. Well, that is a state of things which I am perfectly certain ought not to be allowed to continue to exist. It is degrading, it is disgusting, and it cannot but fail to conduce towards immorality. What I propose to do is, in the first place, to compel Local Authorities to do what by the existing law they may now do in that respect, and to extend to the Metropolis the provisions of the Public Health Acts, so far as providing proper sanitary conveniences and separate sanitary conveniences for both sexes are concerned. That is also a matter which I do not think will meet with much opposition. Then as regards cleanliness, lime washing, and so on, I merely apply to workshops the law which at present applies to factories, and embody in an Act of Parliament what is now the law by reason of the orders of the Secretary of State. That is practically, my Lords, with the exception of a few minor matters with which I will not trouble the House now, what I propose to do with sanitation. I extend the existing provisions in regard to sanitation under the Factory Acts to all workplaces except domestic workshops. I prohibit work being carried on in cellars which are unfit for human dwellings, and I provide for a sufficient amount of decency, and for the ordinary requirements and necessities of human nature. But in this matter of sanitation some supervision by authority is necessary; and I also, like my noble Friend (Lord Thring), give some authority to County Councils in this matter. I also provide that the two authorities who have to deal with sanitary questions — that is to say, the Sanitary Officer and the Factory Inspector—should assist each other, and should check each other. I impose upon the Sanitary Officer the duty of reporting to the Factory Inspector, if he finds that sanitation which comes under the Factory Acts, but not under the Public Health Acts, is deficient; and I further provide that if the Factory Inspector takes no action on that Report the Sanitary Inspector shall report direct to the superior officer of the Factory Inspector; that is, to the Home Secretary. Then, on the other hand, the Factory Inspectors are now required by the existing law to notify to the Sanitary Authority if they find any default in matters of sanitation under the jurisdiction of the Sanitary Authority. To that duty I add the duty that they are also to report to the Sanitary Authority in case of any default in fulfilling the requirements of the law as to sanitary conveniences, and cellar workplaces, which are provided for in this Bill, and in that case also I also introduce the County Council as the supreme authority; and I make it the duty of the Factory Inspector, if he finds that the Local Authority take no action on his Reports, to report the matter to the County Council. I differ from my noble Friend opposite as to the powers which I give to the County Council. I do not give them any power of doing the necessary work themselves, which would have the effect of relieving the Local Authorities of responsibility, a unwise thing to do; but I give the County Councils the power which is at present possessed by the Local Government Board and by the Home Secretary—that is to say, they can employ police constables to see that the requirements of the law are carried out, and such officers can recover the money from the Local Authority. That, I venture to think, is a better plan to pursue, because the responsibility, as far as money is concerned, would still rest upon the Local Authorities, and it is essential that upon the Local Authority should rest ultimately the duty of seeing that sanitation is carried out in their own area. It would be a fatal thing if Local Bodies could relieve themselves of taxation, and throw the burden of sanitation upon the County Council and upon rates raised by the county. Then, my Lords, I have endeavoured also to do what I can towards quickening procedure. I allow Factory Inspectors, in the event of their finding a factory or workshop not to be in conformity with the Act, instead of taking legal proceedings, or, in addition to taking legal proceedings to fine the occupier, to serve him with a notice specifying the necessary work that is to be done. Of course, I grant the occupier the ordinary right of appeal, and then, if the requisition is not complied with, I empower the Factory Inspectors to see that the work is done, and to recover the amount expended from the occupier, of course on receiving authority to do so from a Court of Summary Jurisdiction. It will be objected at once to that that the Factory Inspectors have no funds, and could not therefore do such a thing themselves. I am not myself clear how far that is so or not; but if it is so, it would be necessary to provide the Inspector with the necessary means for providing for the execution of the work required to be done, and then to recover the cost of it from the defaulting person. One point was brought out very clearly before your Lordships' Committee, and that was the great difficulty experienced in compelling the occupiers to do anything in these sweating dens and small workshops in the way of improving the condition of their premises. Where the rateable value of the premises is below £40 I provide that proceedings may be taken against either the owner or the occupier. In fact, most of these little workshops and places commonly called "sweating dens" are held at a small rent of about £1 a week, and it has been found useless, practically, to proceed against the occupier. He is a man of straw; he has got no capital; he has no means of any kind. These little places spring up like mushrooms in the night, and they fade away with equal rapidity if the occupier is interfered with. It is impossible to get them to do anything, and it is useless to try; and I think it is not only wise but perfectly just and equitable that in such cases the owner of the premises should be held responsible. That is all I have to say as regards sanitation and the quickening of the proceedings which have to be taken in sanitary matters. But I should like to say a word or two about some provisions of the Bill which deal with the periods of employment of protected persons, which deal with the powers given to Inspectors, with the question of registration, with the definition of domestic workshops, and with exemptions under the Act. My whole object is to apply the existing law as far as practicable to all places where work is carried on. My principal objection to the operation of the Act of 1878 consists in the number and character of the exemptions contained in it. For instance, it draws a distinction, totally unwise in my mind, between women employed in non-textile factories and women employed in workshops. Women employed in workshops can work longer hours than they can if employed in factories. I can see no earthly object in that; on the contrary, if women were to be allowed to work longer hours in one place than in another, I should say they ought to be allowed to work longer hours in the factory; that is to say, in the larger, better regulated, and better ventilated places. What I have done is this: I have placed the women, as far as the limitation of their hours of work is concerned, on precisely similar terms and conditions, whether they work in factories or whether they are employed in workshops. I propose to repeal Section 15 of the principal Act which allows women to be employed for 15 hours in one day. The intention of the law is perfectly clear; the law insists that they are to have 4½ hours for rest and meals, but there are no particular times specified for taking that rest and those meals, and it is, therefore, impossible for the Inspectors to find out whether that condition of employment is observed. Unless you have a whole army of Inspectors, so that an Inspector can be told off to every single workshop where women are employed, and where no young persons or children are employed with the women, it is impossible for the Inspector to ascertain whether the women are afforded those 4½ hours for rest and meals or not. As a matter of fact, the law can be broken with complete impunity, and is so broken. Practically speaking, there is nothing to prevent women in those workshops where no young persons or children are employed from being compelled to work 15 consecutive hours if their employer thinks fit. I can see no object in drawing this distinction between women employed in factories and those employed in workshops. As I have said, in drawing this Bill what I have done is to put women on exactly the same level as regards hours of work, whether their work is done in factories or in workshops. But the sections of the principal Act to which I entertain the strongest objection are Sections 16 and 69. Those are the sections which define a domestic workshop, and which enact that an Inspector, wishing to enter a workshop, which is used also as a dwelling, can only do so with a warrant if the occupier objects. According to the definition of a domestic workshop, any room or place where any number of people work and dwell is, practically speaking, exempted from the operation of the Act, except in so far as it affects young persons and children. But that is open to any amount of abuse. How is it possible for the Inspector, who seems to be expected to do the work of ten men, to tell when he sees a number of people at work in a place whether they are all members of the same family, or are all dwelling in the place in which they work? There is no limitation in numbers. If all the members of one of the various great families of Smiths, Browns, Joneses, and Robinsons in London chose to hire the Crystal Palace as a workshop and dwell there, they might do any amount of work under any conditions they pleased without coming under the operation of the Factory Law. The fact is, the definition is too loose—it can be abused, and is abused, to any extent. What I propose to do is to say that "where not more than three people, members of the same family, work together that shall constitute a domestic workshop." That would cover all places where a man and his wife, and a son or a daughter work, places where a woman and two children work, and all places where two or three girls work together at sewing in rooms where they live. It would cover all places which may be described as really *bonâ fide*, purely family work places, and provides, in my opinion, quite a sufficiently large exception. But in case it should be considered that it is interfering too much with family home-working life, I have provided also that where more than three, but not more than six, persons "members of the same family" work in the place in which they also dwell, on proving before a Magistrate that they are really members of the same family and do dwell there, they can obtain a certificate constituting that place a domestic workshop. I, myself, do not think that advisable. If your Lordships recall the frightful evidence that was given before your Select Committee as to the condition of things obtaining in places, for instance, where clothing is made up, I think you will agree with me that it is necessary to put somewhat strong restrictions on the way in which that kind of work is carried on. We hear over and over again of children lying ill with all kinds of infectious diseases covered with clothing in an unfinished state upon which the family were at work, which was destined to be disseminated not only through the Metropolis, but through the whole country and among all classes in the country. It is not a question merely affecting the working people themselves. This is a question which affects the health and well-being of the whole community. There is nothing that carries contagion more readily than clothing, and certainly steps should be taken to take care that clothing which is sent all over the country should not be made up in the circumstances and under the conditions in which it is now made up, as proved before your Lordships' Committee. If this Bill goes into Committee, and any noble Lord moves the rejection of this last provision which I have mentioned, namely, that where more than three, but not more than six, people work together at home they may get a certificate making the place a "domestic workshop," I certainly should not object to having it cut out. Then I propose to repeal Section 69. That section makes it necessary for an Inspector to obtain a warrant or an order from the Secretary of State before effecting an entry in any case where the occupier refuses to permit him to enter; that is to say, of course, where the place is a dwelling as well as a workshop. Your Lordships will see in one moment what is the effect of that clause. All that a man has to do who desires to evade the law is to put up anything in the shape of a bed where any number of people are working and he can refuse entry to the Inspector on the ground that the place is a dwelling. What has the Inspector to do then? He has to go off and get a warrant, and, of course, long before he can return with the warrant which empowers him to enter the place is temporarily put within the requirements of the law. The moment he is seen coming, presumably with the warrant in his pocket, the children, young girls or other persons, are hustled out of the room and stowed away somewhere till he is gone. As long as that section stands, it is impossible with any number of Inspectors to see that the law is carried out. The only objections to my proposal that I can see are that it will give too much power to Inspectors, and that it will interfere unduly with private life. In all cases of the administration of a law of this kind a great deal must be left to the tact and discretion with which the officers entrusted with it carry out their duties; and I am bound to say that there was a universal consensus of opinion among all classes of witnesses before your Lordships' Committee on the Sweating System as to the admirable manner in which Her Majesty's Inspectors under the Factory and Workshops Acts perform their very difficult, very arduous, and very delicate duties. I am sure that, judging by that evidence, your Lordships and the country may have perfect confidence in the discretion and the wisdom of Her Majesty's inspectors. But I will further point out this: Public opinion would never for one moment permit any tyrannical exercise of powers of inspection. And your Lordships must remember that an Inspector, though he can enter at any time by day a place which he has reasonable cause for thinking or believing to be a factory or a workshop; he can only enter at reasonable hours by night, not any place which he thinks is a workshop, but a place which he knows to be a workshop, and in which he has reasonable ground for supposing that work is being carried on. All that he could do that might possibly be tyrannical, or that could possibly interfere with private life, is to enter a place at reasonable hours at night, where he has reasonable ground to think that work is being carried on, and which he knows to be a factory or workshop within the meaning of the Act. If he forces an entry at any other time, or under any other circumstances, he is of course liable to an action for trespass in the same way that any other individual would be. Therefore, I do not think there would be any danger to the rights of the public in regard to privacy following upon the repeal of this section, which practically, in a great number of cases, makes the law perfectly inoperative. I also repeal the section which exempts from the general provisions of the Act places where work is carried on at irregular intervals, or where the work does not constitute the whole or the principal means of living of the family. There is another case in which obviously the law can be evaded with the greatest ease. How is it possible for any inspector to find out whether the work carried on in such a place constitutes the whole means of living of the family, if the head of the family chooses to say it does not? It is impossible. And, on the whole, I fail to see the logic or sense of saying that women or protected persons shall not work for more than a certain number of hours in the 24 in one trade, and at the same time allowing them to work an additional number of hours—any number of hours more in certain other trades. What is the use of saying that if these people have only one trade, they may only work 10½ hours or whatever it is, but that they may work those hours and any number of hours more at any other trade that they like to work at. That is all I have to say about the exemptions in the Act which are dealt with by the Bill. The Bill limits the size of the iron allowed to be cut by females in the making of nails and chains. This will have the effect of preventing the use of heavy hammers. The Bill also introduces minimum as well as maximum fines in certain cases, and in this I am in agreement with Her Majesty's Government. I repeal certain words in the definition of "workshop," which has the effect of denying an inspector access to premises. This I do to meet the case of "stallers" in the nail and chain district, who at present are exempt altogether from the provisions of the Act. Registration is a most important matter, and I have provided that not only all factories, as at present, but workshops of every kind shall be registered except domestic workshops. I do not propose to provide that domestic workshops shall be registered; but all workshops of other kinds are to be registered. But I would point out that, in the case of these domestic workshops where more than three people are employed, and where a certificate from a Magistrate must be obtained, that would be tantamount to registration. So that, practically, what I propose is that every place which is a workshop within the meaning of the Act, except places where two or three persons, members of the same family, work in their own home, shall be registered and shall be open to the inspectors. Then I provide, as does my noble Friend opposite, for keeping a register of all work that is put out, and I, like him, copy a clause in the Victorian Act. On the question of overtime, a very important question, I do nothing except to endeavour to ensure that the law shall not, as regards overtime, be broken. There was a great deal of evidence and very weighty evidence, as many of your Lordships will remember, before the Committee in favour of doing away with overtime altogether. It was claimed that the system of working overtime was abused; that all the legal overtime was worked as far as possible in consecutive days during one short busy season of the year, or perhaps during two short busy seasons of the year, in the spring and in the autumn, and that the hands were working short time during the rest of the year. It was complained that that was only done for the convenience of the employer, and that trade could equally well be carried on if that system were abolished — that it would only equalise the hours of work generally throughout the year. I am inclined to think that is the case. I am inclined to think that if overtime was abolished the industries of the country would adapt themselves to the change, but I am not sure about it; and on the other hand it may be that great inconvenience might be occasioned to "season" trades and some local industries by doing away with overtime. I therefore leave the question of overtime untouched and merely provide means for seeing that the law is not broken as we have had ample evidence it is at present. Those are the principle points that I have to trouble your Lordships with. I propose to raise the age of children employed in factories or workshops, from 10 to 12 years. That is a very large question and a very important one. I have done this principally on account of the health of the children in view of the fact that education is now made compulsory. I have felt it necessary to do so because we have been compelled to provide compulsorily for their education. You might work their bodies pretty hard without injury to them, if you did not work their brains also, and no doubt you may work their brains, provided the children are well nourished, if you do not at the same time work their bodies too hard; but especially when they are not well fed, as is too often the case, to work both their bodies and brains at the same time is burning the little candle of life at both ends, and the result cannot but be harmful to the individual and eventually very harmful to the whole nation also. In raising the age to 12 years, I am following out what was practically the opinion of our Representatives at the Berlin Conference, and, if we adopt that course we shall only be carrying out the general rule which obtains in foreign countries. In Italy the age at which children begin work in factories is 9; in Hungary and Denmark, 10; in Belgium, Germany, the Netherlands, Luxemburg, and Sweden 12; and in France, Austria, and Switzerland 14 years. So that this country which has taken the lead in these questions affecting labour, and in endeavouring to improve the conditions of labour, is far behind Germany, Netherlands, Sweden, Belgium, France, Austria, and Switzerland, upon this question of the age for allowing young children to work. On the other hand, there are close upon 90,000 children employed in factories in the United Kingdom; of course, I do not know how many of those are between the ages of 10 and 12 years; but it is a very large question, and one that should be very carefully considered. In my opinion it is advisable that the age should be raised; but that is a matter, which, when the Bill comes into Committee if your Lordships think fit to send it, I may leave in safety and with perfect confidence in the hands, and to the wisdom of this House. That is practically all I will trouble your Lordships with now. I have gone somewhat more into detail, perhaps, than is general on the Second Reading of a Bill; but after all an amending Bill, as this is, is practically a question of details, and it is impossible to avoid going into them. What I wish to do, broadly speaking, is to extend the operation of the existing law; to take care that the net of the law is fine enough to draw as far as practicable all labour within its meshes. I want to prevent the tendency for work to go out of factories, and out of large and well regulated workshops into small work places and sweating dens, which is brought about by reason of the immunity from regulations and legal restrictions enjoyed by the occupiers of those small shops and sweating dens. The facility and impunity with which they break the law gives them an advantage over the better class of masters, and over factories and large workshops, which is most injurious to the workers employed and to the quality of the work produced, and this state of things will continue until the law is made applicable to them. There must be great encouragement for work being carried on in places of that kind, instead of in properly conducted factories and workshops; and my object is, as far as possible, without interfering too much with home work, or with the liberty of the individual is to apply the existing law to work wherever it is carried on. I do not imagine for a moment that this Bill is going to produce any miraculous results. In the first place, the evils complained of before your Lordships' Committee on the Sweating System require the amendment of other Acts—as, for instance, the Truck Act, the payment of wages in public houses and the liability of employers Acts. But I do not think that legislation of any kind is going to cure All the evils which were then brought to light. In my opinion the action which Her Majesty's Government have taken with regard to Government contracts will do more perhaps than legislation could do; and I am very sure that if the Municipal Bodies throughout the country and other corporate employers of labour will follow the action of Her Majesty's Government in respect of stopping unnecessary and injurious subcontracting, and ensuring that the current rate of wages in the trade is paid by the contractors, immense good will result. There is also the great question of foreign immigration, which has more to do with what is commonly called "sweated" labour than any other factor in the case. I am perfectly convinced in my own mind that as long as British labour is subject to the competition of the cheapest and poorest class of foreign labour that can be imported into the country it is practically impossible for English workers to help themselves either by combination or in any other way. Therefore, I do not intend to prophecy for this Bill if it becomes law that it will have any miraculous or extraordinary effect, but I believe that it will have a good effect, and I ask your Lordships to give it a Second Reading.

Moved, "That the Bill be now read 2ª."—(*The Earl of Dunraven.*)

*LORD NORTON: My Lords, I would ask to be allowed to say a few words upon a portion of this Bill upon which the noble Lord laid a little stress at the end of his speech. The Bill chiefly relates to the sanitary condition of workshops; and the noble Earl has, I think, done great service in bringing forward the subject. He is deserving of the fullest recognition of his labours on the Commission, which produced very important information. But it is not upon the sanitary portion of the Bill that I want to speak. It is upon what he says himself is a very important principle, involved in one clause of the Bill, and that is with regard to the hours of labour of young children. He says very truly that he has avoided the question of adult labour except in reference to women; but in regard to children he introduces in one clause a very important change in the law. That is, he proposes to raise the age of all children who may be employed in factories and workshops from 10 years, which it is at present under the Act of 1878, to 12. Now I will not commit myself as to any arguments in support of this proposition, which may be brought forward, but on the face of it it seems to me there is a very prevalent mistake being acted upon at this moment in reference to education. The noble Earl himself seemed to say that he makes this proposal in the interest of education. That observation seems to shew that he has not much appreciation of the education of work, which to the working classes, is, I think, the most important part of their education. It seems to me not in the interest of education to keep children of the working class at school as long as possible, after general elements and to keep them away from work. Now I believe that the earliest time at which they can safely leave the elementary school and begin apprenticeship to industry is the most important point in the education of the working classes, and I think a very great mistake has been made in failing to see that for the working classes practice, intelligence, and honesty in work is education. The noble Earl may possibly be able to make out, when he defends his Bill, that factories and workshops are exceptionally injurious to children on account of their unhealthiness. That, I think, is the only kind of argument by which he will be able to fortify his proposition for raising in factories the working age from 10 to 12. He proposes to make factories much more healthy; and let me point out to your Lordships that when once exceptions begin to be made on the ground of unhealthiness others will be proposed. Depend upon it, if that is done all other employments will follow. There is now a general claim for immunity from labour, and we shall find if we go on in that direction that education will be considered as leading to something separate from labour, as being a much higher thing, while labour will be regarded as being rather a degrading occupation for an English citizen. The Education Department is now trying to carry technical instruction into schools; whereas the reverse is to my mind the right thing to do, that is to pass on schooling into practical technical instruction. All the great manufacturers who have promoted technical instruction have said that the best training for working children is in the workshops themselves, and that it is a total mistake to suppose that schools are the only place of education for the working classes. For myself I think it is absurd that we should, for instance, hold a sailor-boy back from getting early accustomed to the sea and detaining him at school until he can read a historical play of Shakespeare's. That seems to illustrate an absurdity of treatment generally for the working classes and not in their interest at all. The noble Earl says that foreign countries are in advance of us in these matters. I think when he comes to discussion in Committee he will find the comparison is not exactly as he has placed it. The question is whether the law has been found deficient in this country under the Act of 1878, and whether he can show any reason why it should be altered. He has not told us that now, and of course he is perfectly right in reserving all matters of detail for Committee, but I thought that as a question of principle, although involved in only one clause of the Bill, it should be mentioned at this stage, and that it would not be advisable to let it slip through in a Bill of this sort as if it was a matter of no importance.

*LORD DE RAMSEY: My Lords, we have here another valuable Bill, the result of the Sweating Committee, and I propose, if your Lordships approve, that we should take the same course with it as we did with the Bill of the noble and learned Lord opposite. The noble Earl behind me has brought forward a Bill which is most useful and most important in its provisions. I do not know whether he has yet had time to read the Bill which has been brought in by the Secretary of State; but if he will look over it and compare it with his own Bill he will see that there are nine clauses in it which I think attain the objects he has aimed at in this measure. That will show your Lordships, besides the consideration of the mass of detail which has been put before us to-day, how necessary it is that these Bills should be well thought over and well worked out before a Committee. I hope, and I believe every Member of your Lordships' House hopes, that the Government measure will have good progress in another place, and that it will come up to us speedily, so that we may deal with it and with the two noble Lords' measures of to-day, and from them produce something which will, I hope, give satisfaction to the wishes of many who were concerned with the Sweating Committee of last year. The two Bills of to-day show, as I have already said, what different lines proposals may be made to amend the existing laws on the subject; and I am sure it is best in all respects that the measure which the Secretary of State has brought in should be well discussed in another place and well threshed out, so that when it comes here we shall be able to form our conclusion on the whole mass of labour Bills that are now before Parliament. I may remind my noble Friend that a right hon. Gentleman in another place brought forward a Bill a very few nights ago, which also passed the Second Reading, dealing with the same subject. Therefore, my Lords, if the noble Earl behind me will consent to the course that has been pursued with the previous Bill, I hope your Lordships will give this also a Second Reading.

Question agreed to; Bill read 2ª accordingly, and Committed to a Committee of the whole House.

House adjourned at five minutes before Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 20th February, 1891.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL (GENERAL POWERS) BILL—(*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading be deferred until Friday the 27th February."

*(3.10.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I think it is very desirable that in regard to Bills of such importance as this an arrangement should be made to take them when they are put down on the Paper, or at any rate, that a longer notice of postponement should be given than the day on which they stand for Second Reading. Very often hon. Members are brought down here in consequence of seeing Bills in which they are interested on the Paper, and so far as Ministers are concerned it is most inconvenient to require them to be in attendance when it is intended to postpone a Bill.

*(3.12.) SIR J. LUBBOCK (University of London): I am very sorry if the right hon. Gentleman has been put to any inconvenience. I may explain that the reason of the postponement is simply a desire to consult the convenience of the House. It is thought that if a few days more time are allowed arrangements may be made which will prevent a protracted discussion. I regret the inconvenience to which the right hon. Gentleman has been subjected, and I will undertake to inform him of the day on which the Second Reading will be taken.

*MR. MORTON (Peterborough): I think the President of the Local Government Board should not complain of being brought here early, as it is the duty of Her Majesty's Ministers to set an example to the rest of the House by attending prayers.

Motion agreed to.

LONDON WATER COMMISSION BILL (*by Order.*)

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.15). MR BAUMANN (Camberwell, Peckham): I opposed the Second Reading of this Bill last week not with a view of preventing it from being sent to a Select Committee, but in order to give to those gentlemen interested in this important question—and there are many hon. Members interested in it besides those who represent Metropolitan Constituencies—the only opportunity which the forms of this House afford for discussing it. Three other Bills dealing with the water supply have been introduced this Session, but neither of them have obtained a favourable place upon the Order Book; and, therefore, as they cannot be discussed, it will only be by the generosity and forbearance of the House that they can be referred to a Select Committee. This is absolutely the only opportunity the Members for London have of discussing this most important question. And I think it will be generally conceded that it is a subject which requires full discussion on the floor of this House. After 25 years of discussion, investigation, and discovery, before Select Committees and Royal Commissions, we seem to be at last within measurable distance of placing the control of the water supply of London in the hands of the people of the Metropolis themselves. I do not mean to say that the eight Water Companies of London have done their work badly. The enemies of the Water Companies simply say that the supply of water is dear and bad. I am not one of the enemies of the Water Companies, and I do not subscribe to that assertion. On the contrary, I say that, considering the rapid increase of the consumption and of the population within the area supplied, London, on the whole, has been wonderfully well supplied with water. Indeed, some of the Water Companies — for instance, the West Middlesex and the New River, are models of good management and business-like ability. Of course the system by which the price of water is raised on the valuation of houses cannot be long maintained, although it is a system of which the poor at any rate have no reason to complain. But the case for the transference of the powers of the Water Companies to a public representative authority cannot be said to depend mainly upon the dearness and badness of the supply. If the water reformers were to base their case for the creation of a public authority on the dearness and badness of the supply, they would not be in the strong position I think they are in at this moment. The demand for the creation of a water authority is based rather on the idea that if a profit is to be made it should be made, not in the interests of a private undertaking, but in the interests of the public themselves. That is a view which has been recommended over and over again, both by Select Committees and Royal Commissions. We are all agreed that the undertakings of the existing companies ought to be acquired by some public authority, but we are very far from being agreed as to what the authority should be, or how the Commission or Water Trust should be constituted. This Bill proposes to create a Water Commission in London, which is to have the power of promoting Bills in Parliament for the acquisition of the undertakings of the existing Water Companies, and to do everything that may be necessary to enable the Commission to step into the Water Company's shoes. It will, therefore, be seen that the terms on which the Water Companies are to be acquired form the most important point in the whole controversy, and it is a point which is left by this Bill for future settlement by Parliament. So far I heartily approve of the Bill, but it is when I come to the Schedule which proposes the constitution of the Water Commission in a particular manner that I find myself obliged to part company with the promoters and to express my fear that the schedule itself will be knocked into a cocked hat by a Committee upstairs. The measure proposes, that a Commission shall be created, composed of 51 members, namely—

> "The Lord Mayor of the City of London, the Chairman of the London County Council (*ex officio*); the remaining 49 original members shall be nominated as follows, namely: The President of the Local Government Board shall nominate 1, the President of the Board of Agriculture, 1, the Corporation of the City of London, 5, the London County Council, 20, the County Council of Middlesex, 4, the County Council of Surrey, 4, the County Council of Essex, 3, the County Council of Hertfordshire, 1, the County Council of Buckinghamshire, 1, the County Council of Berkshire, 1, the County Council of Oxfordshire, 1, the Corporation of the Borough of West Ham, 1, the Corporation of the Borough of Richmond, 1, the Corporation of the Borough of Kingston-upon-Thames, 1, the Corporation of the Borough of Windsor, 1, the Corporation of the Borough of Reading, 1, the Corporation of the Borough of Abingdon, 1, the Corporation of the City of Oxford, 1. If and whenever Parliament shall so direct, additional members may be from time to time nominated by the County Council of each of the counties next hereinafter mentioned, namely: Gloucestershire, Wiltshire, Hampshire, Kent, and by the respective Boards of Conservancy of the Rivers Thames and Lee."

There are four methods by which the water supply of London may be undertaken. First, by a system of delegation to a body nominated by existing authorities elective or official; next by creating a new authority, to be chosen by popular election; thirdly by taking one of the existing local authorities; and, lastly, by appointing a small Commission of experts. Now, we have had some experience in London of the principle of delegation, and it has not been found to work favourably. The Metropolitan Board of Works was a delegated body, and it expired in anything but an odour of sanctity. It is impossible, therefore, to speculate upon the fate of a double dose of delegation composed of the London County Council and the City Corporation. So far as the second method is concerned, I, for one, am very loth to add to the number of existing Local Authorities in London. I am unwilling to subject the wretched Londoner to the nuisance and worry of another election, and to compel him to spend his life in voting for somebody or another. No sooner has he voted for Codlin than he is required to vote for Short, and frequent elections have become the greatest bore and nuisances of the 19th century. The third alternative is to take one of the existing Local Authorities and clothe it with the powers of a Water Commission, and the London

County Council have volunteered for the job; they have expressed their willingness to be the new Water Commission, and I am perfectly convinced that if the question was to find a Government for Mashonaland, the London County Council would readily volunteer. We who do not belong to that august body are of opinion that the London County Council is already overworked, and that it cannot satisfactorily discharge the work it already has to do. It would be the height of midsummer madness to add to the labours of that already overworked body. The last alternative is one which I throw out for the favourable consideration of the House, namely, the appointment of a small body of professional experts, who should be paid such a salary as would secure the services of competent men such as now manage the affairs of the Water Companies. If you want to have extravagance, delay, and I might almost add jobbery, have a popularly elected body. [*Ironical Cheers.*] I am speaking of purely administrative functions. If you really desire despatch, efficiency, and economy, you will have a well paid body of professional experts—and that is the suggestion which I humbly make.

(3.25.) MR. J. STUART (Shoreditch, Hoxton): A good many hon. Members on this side of the House recognise the dissatisfaction that has been aroused at the authority proposed to be created by the Bill; but I do not share the views of the last speaker as to the inefficiency and unsuitability of the London County Council for the purpose required. We oppose the constitution of a new public authority. The hon. Member appears to hold very cheaply public representative bodies as administrative bodies. If his objections are of a general character they must apply to the whole of the recent legislation of Parliament and the action of the President of the Local Government Board, who has done so much to place the administration of local affairs in the hands of local representative bodies. Has the principle failed in regard to other large towns? It appears to me that the hon. Member has failed to show that there is any ground why the London County Council should not be the authority in this matter, except that it is not the existing authority at present, and the hon. Gentleman and his friends take every opportunity of giving it a kick whenever they can. As a Municipal Authority exists in London the most sensible plan would be to hand the control of the water supply over to it. What is the reasonable ground for making such a difference in the case of London, and electing such an authority as that proposed, except ill-will to the County Council? It is said that the water supply of London is in some way different in arrangement from that of other great towns; but I beg entirely to dissent from that position, as I do not believe that there is any particular point in connection with the water supply of London which has not had its counterpart in many other great towns in this country, and arrangements can be easily made, as they have been made in other towns. Manchester supplies Salford by meter, and Bradford is bound to supply the Local Authorities of outlying districts, if they desire it, although the Local Authorities are not bound to take the water unless they want it. Now that Manchester draws its supply from Thirlmere, it is bound to supply it to any township on the way as long as a certain minimum is left for the supply of Manchester. In other cases there are different arrangements to meet the difficulty, and these have been found to work well. There is another point on which it is said that the London water supply differentiates from that of other towns—namely, that it is gathered from districts which come under the jurisdiction of other County Councils, and that we ought therefore to put on the governing body representatives from those County Councils as well as that of London itself. This question has not been solved in that way in any other instance. Manchester, before getting its supply from Thirlmere, drew it from neighbouring districts, but those districts were not represented on the governing body. At Bradford the difficulty was met by having large stores of water placed under a separate Commission, which sees that the Bradford Corporation keeps to what it is obliged to do by Act of Parliament. With regard to the question of whether the plan proposed in this Bill will work, I think that it would not. Already, by the very petitions against the Bill, the interests of the other communities are shown to be in contradiction to the interests of the Metropolis, and therefore we should be placing on the governing body in about equal proportions two sets of people whose interests would be permanently antagonistic, the result of which would be that the body would be an unworkable one. Again, the money must be raised in some way or other for the purchase of the Companies or for the creation of new water supplies which the Companies themselves, if left, would soon have to face; the money must be raised on terms fair to the people of London, because the rates of London would be the security. How would they manage to raise money chiefly on the guarantee of a body such as that proposed? If this Bill is to be referred to a hybrid Committee upstairs, I hope that it will be a strong Committee, and that some endeavour will be made or an Instruction moved in order to enable it to investigate the whole of the question, and to consider in a wide manner the powers to be given to the governing body, and its future action. These are interests vital to the Metropolis, not only on account of their intrinsic importance, but also in relation to the sanitary condition of London. The subject is vast in its hygienic relations, and in its relations to the poor of the Metropolis and to the purses of the ratepayers, and one question which will have to be considered by the Committee is the price to be paid for this article.

(3.40.) SIR A. BORTHWICK (Kensington, S.): I quite agree that upon this important question it is of urgent necessity and urgent importance that a prompt decision should be arrived at. I, therefore, hope that this Bill and other Bills on the same subject will be referred to a strong Committee in order that the question may be settled upon some absolutely definite basis. I am afraid that the present measure is somewhat too ambitious in its objects. It wanders away to the City of Oxford, and it proposes merely to raise the sum of £5,000 within 12 months for the payment of a Chairman and 51 members. It is doubtful whether such a body ought to be paid at all; but certainly if it is to be paid it ought not to be paid by the Corporation of the City of London. At the same time I doubt whether the ratepayers of the Metropolis would regard with favour the prospect of being saddled with the payment of money to this body. The Bill, as it stands, is altogether unsatisfactory. What is good in it will probably be taken into consideration by the Committee upstairs, and will find its way in proposals to be submitted to the House. I hope to have the honour shortly to move the Second Reading of a measure that deals exhaustively with the whole of the water supply of London, and which contains provisions to take exclusive powers for supplying water and for securing an equalisation of rates. The latter is an important object, because the rates at present are most unequal. For instance, a house of £30 pays in one case £1 4s. per annum; in another £1 8s., and in others £2. I hope that this Bill with other kindred measures will go to the Committee, and that the Report of such Committee may be received this Session, so that prompt legislation may follow.

(3.45.) MR. LAWSON (St. Pancras, W.): The hon. Member for Peckham (Mr. Baumann) has indulged in one of his chronic and splenetic attacks upon the London County Council, and yet I find that he, in common with the hon. Baronet the Member for Kensington (Sir A. Borthwick), proposes a Bill which would create a new body directly elected by the people of the Metropolis to take over the water supply, or, if the County Council are agreeable, to hand it over to them. If I do not move the rejection of the Bill, it is not because I do not think it an unworkable piece of legislation, but because it raises a question of vital importance after a lapse of 11 years, and recognises the principle that the water supply of the Metropolis should be controlled by a responsible public body. The central point is so far good, but the composition of the new body is ludicrous. The Bill is to secure and manage the water supply of London, but it is proposed to give a majority of Members outside the county, who would be able to out-vote London. It is a manifest absurdity to propose that the London County Council should send 20 members, the Corporation of London six or seven more, and that the total numbers of members should be 57. There would be perpetual collisions between the "insiders" and the "outsiders "—between the representatives of the area supplied and the representatives of the area from which the supply was drawn, and the rates of London would be pledged by the action of a body of 57 members, of whom the County of London would only furnish 20. The County Council should lay down the policy and exercise control, and a small body of experts, adequately paid, should manage the details. I believe this scheme to be inadequate and unsatisfactory. The question is whether the present supply is worth the purchase. The Chemical Commission (1851) was against the present system, and the Water Commission (1869) underrated the increase of population. Before the introduction of a measure of this character, there should have been the fullest preliminary inquiry, to bring our information up to date, into cost, quantity, and quality. What is true of the Thames is true of the Lea. The chalk would not, according to expert opinion, be more than auxiliary. Almost certainly we should require a new and independent supply, like Glasgow, Manchester, and Liverpool. This shows the necessity for investigation as a preliminary to any legislation by the House empowering any public body to control the supply. This is a very serious question, affecting the health and comfort of more than 5,000,000 of people, and I appeal to the House not to make their last state worse than their first.

*(4.5.) Mr. RITCHIE: I do not think it is necessary that I should discuss this Bill at any length. The Debate has shown conclusively one thing, which is a matter for congratulation, namely, that all parties in the House have come to the conclusion that the water supply, apart from the question whether the present supply is good or bad, ought to be in the hands of some public authority who should furnish the supply in the interests of the community and not for individual profit. That is a principle I have always supported. The hon. Member for Peckham states that he has very little confidence in the London County Council or the London Corporation, but with these views of the hon. Member in respect to the County Council I must disclaim any sympathy. The London County Council have had imposed upon them a very difficult task, and no doubt they have made some mistakes; but, nevertheless, I have perfect confidence that the London County Council, if intrusted with the water supply of the Metropolis, will discharge the duties connected therewith ably and well, and without a particle of anything approaching jobbery. I have never disguised my own opinion, which is that having established such a body for the whole of London, it is the proper body to be entrusted with the administration of the water supply, though, no doubt, it may be reasonable and desirable to give some representation to the outlying districts on the administrative Committee. But this and other points are not under consideration now. If we were discussing the details of the measure, I should certainly feel disposed to criticise some of the provisions of the Bill adversely. It must be agreed that there ought to be a full and complete inquiry into the whole question of the water supply, and that it would be well that that inquiry should take place before a Committee of this House, who should consider all the proposals brought forward on the subject, whether by the Corporation, the County Council, or the Vestries. I agree with the hon. Member for Hoxton (Mr. Stuart) that the Committee should be a very strong one. I think it is for the interest of everybody that the Report presented should be the Report of a Committee in whom the House has full and complete confidence. If any point is omitted by the Committee its attention can be directed to it by means of an Instruction. I would, therefore, suggest that, instead of hon. Members moving an Instruction now, they should wait until the other Bills on the subject have received their Second Reading, when all the Bills may be referred to the Committee, with, if necessary, such an Instruction as would enable the Committee to fully inquire into every branch of this subject. I hope that when the Bill of the hon. Member for Kensington (Sir A. Borthwick) comes before the House it will be read a second time.

Mr. LAWSON: How can you secure that?

*Mr. RITCHIE: It can be done in one or two ways—either with the general concurrence of the House or by some arrangement with the Government.

One thing is certain, that if we inquire into the question at all, the Bill ought to go before the Committee. I hope that body will be able to avail themselves of the very best professional skill available, in order to arrive at a solution of this most difficult and complex question.

(4.15). SIR W. HARCOURT (Derby): I entirely concur in almost every word that has fallen from the right hon. Gentleman. I was especially glad to hear him bear testimony to the efficiency of the London County Council, and express his opinion that that body is the proper body to have the administration of the water supply, without, however, excluding the representation of the London Corporation. The fact is that this question of the water supply has been hung up until such a body as the London County Council should come into existence. The Committee of 1882 recommended that the subject should be dealt with by the Government, and certainly it is too large to be effectively dealt with by any private Bill. It is impossible to conceive anything more preposterous than that the Corporation of London should be able to introduce a Bill on this subject and that the County Council should not have the same power. I hope that this point will be taken into consideration by the right hon. Gentleman. The proposal for an alternative water supply is satisfactory. In the absence of power to establish an alternative supply, it would be always impossible to buy up the Water Companies on fair terms. Then, in case of contemplated purchase, care should be taken to ascertain the views of the buyers as well as of the vendors. On a former occasion negotiations for sale fell through because it was found that certain agreements had already been made with the Water Companies, with which agreements the people who were to buy would have nothing to do. The moment those agreements were published the capital of the Companies went up nine millions; but when it was found that there was to be no purchase the capital fell by the same amount. The Companies will never be made to take a reasonable view until an alternative scheme is rendered possible. I think myself that the time has come when London should have a new supply of water. When we remember how the great cities of ancient times were supplied with water, and when we see the great aqueducts in Italy and France we can come to no other conclusion but that it is absurd that London should not have a far better water supply than it has. Seeing that cities which are mere villages compared with London have been supplied adequately and cheaply, it is monstrous to think that London cannot be supplied for less than £33,000,000. As the question is now in a fair way for settlement I hope the Government will bring in a Bill to determine who the authority should be and what extent of authority it should be entrusted with. I do not favour the appointment of a Royal Commission to inquire into the subject, for a body of that kind seldom reports before the expiration of five years. Let the County Council be empowered to take steps, and I believe that a satisfactory result will be achieved.

(4.26.) MR. DIXON-HARTLAND (Middlesex, Uxbridge): I must ask for the indulgence of the House while I say a few words on behalf of those who live outside the Metropolitan area. At present one-half of the supply for London is taken from the River Thames, and my contention is that if it is intended to take a still further quantity from the Thames the people resident along the banks of the river, who are deeply interested in the matter, ought to be represented on the Commission. The real question is whether an independent supply should not be obtained, and I believe that no good will be done by way of settlement of the question until this is ensured. In that case the inhabitants of the outside area adjacent to the Thames would not need representation.

*(4.29.) SIR J. LUBBOCK: Before the House proceeds to read the Bill a second time perhaps I may be allowed to say a few words on the important subject. I do not think the promoters of this Bill would base their grounds for it on the allegation that the water supplied in London is either dear or bad. My own individual opinion would rather be to change the present system of charge rather than to take the matter entirely out of the hands of the companies. Much dissatisfaction is certainly felt with the system of charging on the rate of assessment, and there is a strong belief

that the supply of water in the basins of the Thames and Lea will not long suffice for the growing needs of the Metropolis. It is, therefore, necessary to make further provision within a comparatively short time. I am afraid we shall never get a system of Government entirely satisfactory to the hon. Member for Peckham. He proposes that the management of the Water Companies should be entrusted to a small body of professional experts, but then the question arises, by whom is that small body to be appointed? I desire to thank the right hon. Gentleman the President of the Local Government Board for the testimony he has borne to the work of the London County Council. I hope the hon. Member for St. Pancras will accept the suggestion thrown out by the right hon. Gentleman, and withdraw his Instruction, in order that a wider one may be framed by the Government. The London County Council do not wish to oppose the Bill, but they do not wish it to go forth they are entirely satisfied with its provisions. There are two proposals in the Bill especially which seem open to serious objection. One is the mode of raising the funds. I agree with the hon. Member for Hoxton that the money should be raised on London County Council Stock and upon the security of the Metropolitan rates. If a new Stock is created a higher rate will have to be paid, and even if the difference is only one-quarter or one-eighth, still on such large amounts the loss will be considerable. Secondly, the constitution of the Commission is not satisfactory. At the same time the London County Council have confidence that these and all other questions will be thoroughly and carefully discussed upstairs. They hope that the strongest possible Committee will be selected to deal with this very important question, and believing that that will be the case they do not desire to offer any opposition to the Second Reading of the Bill.

(4.33.) MR. J. ROWLANDS (Finsbury East): This is one of the most important questions affecting London that has ever come before the House, and I therefore think hon. Members opposite should not be so anxious to end the Debate, for we ought to be careful that no mistake is made in providing that proper terms and an adequate water

supply are secured. I rise, after the generous speech of the right hon. Gentleman the President of the Local Government Board, to ask my hon. Friend the Member for West St. Pancras to fall in with his suggestion, so that we may have one comprehensive Instruction given to the Committee. This afternoon's Debate has been one which must have given satisfaction to all hon. Members who desire to see the water supply of London placed under the control of a representative body. Should it be decided to purchase the undertakings of the existing Companies, one point ought to be borne in mind. It ought to be ascertained whether the Companies, while they have been paying large dividends, have created adequate sinking funds which would enable them to secure fresh sources of supply if necessary. If they have not done that, the capitalised value of their property is not so great as has been suggested, and I think the figures of 33,000,000, which have been quoted, are at least 100 per cent. too high. For this, if for no other reason, we must have a strong Committee.

(4.36.) MR. CAUSTON (Southwark, W.): I want to draw the attention of the right hon. Gentleman the President of the Local Government Board to the Metropolitan Water Companies Charges Bill which I have in charge, and the Second Reading of which is fixed for the 4th March, and which, I hope, will have the support of the Government. It will prevent the companies raising their charges upon the forthcoming revaluation of property, and I maintain that any such increase ought certainly to be prevented at a time when it is probable that the undertakings of the companies may be acquired by a Public Authority.

*(4.37.) MR. LAWSON: I am willing to accept the general view of the House and withdraw my Instruction, providing we have a distinct understanding. There are three Bills before the House, and I should like to know if, when the right hon. Gentleman speaks of their being read a second time, he intends to give facilities for that, because we know the Water Companies have friends in this House who object to anybody interfering with them in their long feast upon our increasing rateable value. Under these circumstances, there might be

some difficulty in getting the Bills read a second time. Is the right hon. Gentleman willing to move an Instruction covering the questions of the quantity, quality, and cost of the water supply.

*(4.39.) MR. RITCHIE: I can hardly think the House would be satisfied with referring only this Bill to the Committee. No doubt it would wish to refer the Bills which are much more comprehensive in their character, and which raise the issue much better than this particular measure. The Government will take care that the Instruction to the Committee will secure inquiry into the whole matter.

Question put, and agreed to.

Bill read a second time, and committed to a Select Committee of Nine Members, Five to be nominated by the House and Four by the Committee of Selection.

Ordered, That all Petitions against the Bill presented Five clear days before the meeting of the Committee be referred to the Committee that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Ritchie.*)

METROPOLITAN DISTRICT RAILWAY BILL (*by Order*).

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(4.41.) MR. BARTLEY (Islington, N.): I rise to move that this Bill be read a second time this day six months. I think the House hardly knows what this Bill proposes. Under cover of a Railway Bill this Bill will empower the Railway Company to establish places of what they call "instruction, recreation, and amusement;" in other words, "Barnum" shows or Cremorne Gardens; and that I think is not the proper business of a Railway Company. The company have rights over two pieces of land, one of which has been used for the "Wild West" Exhibition, and the other is a triangular piece of ground west of Gloucester Road. The company, under cover of this Bill, propose to take power to convert this triangular piece of road into, as they term it, "a place of instruction, recreation, and amusement," and they will injuriously affect surrounding property in the same way as the Kensington Exhibitions proved a serious detriment to the property in their neighbourhood. I repeat it is no part of the work of a Railway Company to establish such places. Another and equally important point is that in Clause 7, the company actually propose that they shall have power to get rid of and rescind all the agreements they have made with respect to this land. That is a course the House of Commons will hardly sanction. These two acres of ground have been planted by the residents on the understanding that the land shall not be used, or the trees cut down, except for purposes of the railway. If the land is wanted for railway purposes, no one can possibly object; but it is reasonable to expect, inasmuch as Parliament has given compulsory powers to the company to acquire the land, that it shall be used simply for the purposes of the railway itself. I think we cannot pass the Bill or allow it to proceed to another stage unless we have a distinct understanding that all the clauses relating to the Metropolitan District Railway Company, starting or causing to be started a place of amusement of an evening *fête* or Cremorne nature, shall be cut out of the Bill. It is quite certain, if this proposal had been made in the early days of the company, it would not have got power to acquire the land. For these reasons, I move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. Bartley.*)

Question proposed, "That the word 'now' stand part of the Question."

(4.46.) MR. J. R. KELLY (Camberwell, N.): I beg to second the Motion for the rejection of the Bill. As one living in the neighbourhood of this triangular piece of ground, I may say that it can be of no good except for the purposes of the railway or an open space. There is practically no access to it. There was a period when those who lived in the houses abutting on it hoped it would be devoted to the purposes of a recreation ground in connection with a large educational establishment, but unfortunately that hope passed away with Mons. Capel, and since then there has been much anxiety on the subject. I do not wish to say anything against the Exhibitions which were held upon the land, more than that the residents have been exceedingly annoyed by the scenes that have gone on there, and they look with the greatest possible anxiety upon what they believe would be nothing less than another Cremorne in that part of London. I think the residents have a great right to complain, for the land was acquired by the company compulsorily for railway purposes, and there ought to be no deviation from the arrangement. I trust the House will not allow a precedent to be created which will allow a Railway Company to be the means of half ruining a neighbourhood by establishing a centre of immorality at a point where it would be worse than in almost any other part of the Metropolis. I may add that that neighbourhood is not over well supplied with open spaces. We had hoped this piece of land would have been set apart as an open space; and I think that if this House refuses to allow the company to do as they propose, the time may yet come when the land will be utilised as an open space for the benefit of the very large population in that neighbourhood

(4.50.) MR. COURTNEY (Cornwall, Bodmin): I hope the House will not occupy much time in the discussion of this question. This is an omnibus Bill, and the hon. Member for Islington opposes only one clause, the question involved in which has been raised by the Petition lodged against the Bill, and which can be argued before the Select Committee to which the Bill will go. It is not the ordinary practice of the House to object to the Second Reading of a Bill of this kind upon objection to one clause. But any persons who may have rights in this land will have them protected, because the company, in answer to the objections of the residents in the neighbourhood, have agreed to insert words in the clause, which will leave their present rights and powers in the land absolutely unaffected. I hope the House, therefore, will at once reject the Amendment.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed.

QUESTIONS.

SUDBROOKE PARK.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Secretary to the Treasury whether arrangements can be made for giving to the public access to Sudbrooke Park (which adjoins Richmond Park, and is separated from it only by a light iron railing), and also for allowing clubs and other bodies willing to bear the expense of laying down cricket pitches to play cricket there, that game being at present forbidden in Richmond Park?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Sudbrooke Park was purchased by the Crown in 1841, at a total cost of £34,856, in order to prevent Richmond Park from being spoilt by the erection of unsuitable buildings in its neighbourhood. Of the 130 acres, 20 were added to Richmond Park. I do not think it is necessary to add any more to the 2,000 acres already available to the public in Richmond Park. The Commissioners of Woods and Forests will be prepared to consider any application that may be made for the use of a portion of the ground for cricket and other games.

ST. AUGUSTINE'S SCHOOL.

MR. CHANNING (Northampton, E.): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that in the accounts of the St. Augustine's Boys' School, as published in the "Annual Statement of Work and Funds of the Parish, for the year ending December 31st, 1890," there are charged to the debit of the school the following amounts:—£26 12s. 9d. Sunday school expenses, and deficit on treats £16 8s. 8d., half expenses of parish house; whether these charges appear in the Statement of Accounts furnished to the Department; and whether they are a legal charge on the school fund; and, if not, what steps he proposes to take in the matter?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): If the hon. Member will kindly put his question in a form which will enable me to identify the school to which he refers, I shall be happy to furnish him with all the information in my power.

STREET LIGHTING IN EAST LONDON.

MR. J. G. TALBOT (Oxford University): I beg to ask the President of the Local Government Board whether his attention has been directed to the very inadequate lighting of the by-streets in the Eastern districts of London; and whether he could address representations to the Local Authorities, urging them to attend to this important matter?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): My attention has not been directed to the inadequate lighting of the by-streets in the Eastern districts of London, and I have received no complaints on the subject. My right hon. Friend the Secretary for the Home Department has communicated with the Chief Commissioner of Police, with the view of ascertaining whether there are any by-streets in the districts referred to where additional lighting is required, and if it should appear to be necessary I will communicate with the Vestries of the parishes on the subject.

RAILWAY RATES.

SIR RICHARD PAGET (Somerset, Wells): I beg to ask the President of the Board of Trade whether, in view of the general public interest involved in the settlement of Railway Rates, and with the object of avoiding the possibility of technical objections being raised to any "Appearances" before the Joint Committee to which the Railway Provisional Order Bills are to be referred, he will be good enough to consider the advisability of endeavouring to procure the passing of a Resolution in each House of Parliament, to the effect—

"That all the Petitions against the Provisional Order Bills and Schedules, and Maximum Rates and Charges and Classifications of Merchandise Traffic comprised therein, be referred to the Committee on the Bills, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, and Witnesses, be heard on their Petitions, if they think fit, and that Counsel be heard in favour of the Bills against such Petitions;"

and if he will, either by the same Resolution, or in some other manner, provide for the enlargement of the time during which Petitions may be presented in respect of the Provisional Order Bills, so as to enable ample opportunity for farmers, traders, and others to prepare and present Petitions in regard thereto?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Yes, Sir; I think the suggestion made in the question of the hon. Baronet is a reasonable one, and I shall be prepared to give effect to it at the proper time. As at present informed, I am inclined to think that the best means of doing so, so far as this House is concerned, will be to pass a Resolution in terms similar to those which are in use when Bills are referred to what are known as Hybrid Committees. The procedure in the other House of Parliament is somewhat different, but the matter shall have my attention, and I shall be prepared to communicate with the officers of that House on the subject.

PLANK BEDS FOR CASUAL PAUPERS.

MR. ALFRED THOMAS (Glamorgan, E.): I beg to ask the President of the Local Government Board whether it is true that no casual paupers in the Metropolis are any longer required to lie upon plank beds; whether casual paupers in any union ward in England or Wales are still required to lie on plank beds; and, if so, what is the name of the union or unions; and whether the Local Government Board will take immediate steps for abolishing them?

MR. LONG: In the casual wards in the Metropolis there is no union in which wooden beds are used for the casual paupers. The question of the use of these wooden beds in casual wards has been receiving the attention of the Local Government Board, and they have obtained information from their Inspectors on the subject. These beds are in very general use in some of the districts in England, and especially in the North, and their use is defended on the ground that they are more cleanly than mattresses. It would appear that the question whether or not there is any hardship attending the sleeping on these beds must mainly depend on the number and thickness of the rugs which are supplied to the inmate and on which he can lie;

and I am assured by the Inspectors that, although vagrants show no indisposition to complain to them if they consider that they have cause, no complaints are made as to these beds. In cases where these wooden beds are used, and it appears to the Inspector that there is any ground for complaint as to the insufficiency of the rugs, the attention of the Guardians shall be drawn to the matter.

TELEGRAPH REVISION SCHEME.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General whether he can state at what date the revision scheme in telegraph offices throughout the United Kingdom will be completed?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The revision scheme to which the noble Lord apparently alludes was carried into effect in July last. The corollary measure, which is independent of that revision, and only deals with a comparatively small number of superior officers, is now engaging the attention of the Treasury.

LIVERPOOL CENTRAL TELEGRAPH OFFICE.

EARL COMPTON: I beg to ask the Postmaster General whether the Central Telegraph Office buildings at Liverpool are unhealthy and unsatisfactory; and, if so, what steps he intends to take in the matter?

*MR. RAIKES: Assuming that the noble Lord is referring to the head post office at Liverpool, I have to state that the special inquiry mentioned in my reply of December 8 last to the hon. Member for the Kirkdale Division has been made, and that the whole subject is now under the consideration of the Treasury.

CONDITION OF CASUAL WARDS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Local Government Board whether his attention has been drawn to the statements made by Mr. William Booth as to the condition of casual wards, and confirmed by a letter published in the *Standard* of the 18th instant, signed "A Private Inquiry Officer," who, professing to write from "personal experiences last summer" of 36 casual wards in various parts of the country, states that—

> "The blankets, bedding (when there is any), and the boards are swarming with vermin, and are a disgrace to the Inspectors or supervisors of the parishes to which they belong;"

and whether he is in a position to contradict these statements; and, if not, whether he will direct the Inspectors of the Local Government Board to give special attention to the condition of the casual wards?

MR. LONG: The attention of the Local Government Board has been drawn to the statements referred to, including those in the letter signed "A Private Inquiry Officer" which appeared in the *Standard* newspaper. It will be realised, when the class of persons who usually frequent the casual wards is borne in mind, that it is not always easy to keep the wards entirely free from vermin, but I have no reason to doubt that proper efforts are made to secure this. The casual wards of the workhouse should, of course, receive the attention of the Inspector as much as any other wards of the workhouse, and the Inspectors are fully aware of this. If the Board receive from the hon. Member, or from the writer of the letter referred to, any definite statements with regard to any particular casual ward, they will be quite prepared to cause special inquiry to be made as to the allegations.

SMOKE ABATEMENT IN LONDON.

SIR HENRY TYLER (Great Yarmouth): I beg to ask the Secretary of State for the Home Department whether, in the Bill to be introduced "to amend and consolidate the laws relating to the public health in the Metropolis," it is proposed to deal with the question of smoke and fogs, from which the Metropolis has recently suffered so much; and whether he will consider the desirability of instituting an inquiry on this important subject by a Committee of the House, or otherwise?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, (Birmingham, E.): My right hon. Friend the President of the Local Government Board will very soon circulate a Bill to amend and consolidate the law as to public health in the Metropolis, and my hon. Friend will, I hope, be content to await the publication of this Bill for an answer to his first question. A Committee of the House of Lords sat in 1887 to investigate the subject of smoke in the Metropolis, and I do not think any new light will be thrown on the subject by another inquiry of this nature.

LORD E. HAMILTON (Tyrone, N.): I beg to ask the First Lord of the Treasury whether he has seen the letter of Messrs. Elliot and Co., in the *Times* of yesterday, giving the simple explanation of the presence of the black smoke which he stated on Tuesday last was frequently seen issuing from their engine on the Thames Embankment; and whether, in the face of that explanation, and in face of the atmospheric conditions by which we have been surrounded for the past few days, the Government have still no intention of investigating the merits of an invention which promises to render perfectly simple the process of entirely freeing London from all smoke?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The investigation of the merits of this invention seems to be a matter for a specialist; but, so far as the Metropolitan Police are competent to do so, the scheme will be inquired into and a Report made to the Secretary of State.

BACCARAT.

MR. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether he is aware that the Solicitor to the Treasury, when prosecuting clubs for allowing baccarat to be played, has always described the game as an illegal game, and that Magistrates have invariably convicted; and whether the advisers to the Solicitor of the Treasury are also the advisers to the Home Secretary?

MR. MATTHEWS: I am informed by the Solicitor to the Treasury that he has no recollection of ever having prosecuted a club for allowing baccarat or any other game to be played, and he has had no occasion to describe it as stated, nor is he aware that Magistrates have invariably convicted. When the Secretary of State has occasion to seek legal advice he consults the Law Officers of the Crown. Their advice is also at the disposal of the Solicitor of the Treasury.

SOUTH HETTON COAL MINE.

SIR HENRY HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to a statement that a certain portion of the South Hetton Coal Mine, namely, the furnace drifts and flues, being considered by the workmen to be in a dangerous condition, owing to the intense heat when men are compelled to go in and clean them, the Inspector of Mines for the district has been requested in writing by the workmen to inspect this portion of the mine, or to cause it to be inspected, and has refused to do so; whether it is competent to the Inspector of Mines, on his own authority, to refuse to inspect a portion of a mine under such circumstances, when requested to do so by the workmen; and assuming the facts to be as stated in this question, what action he proposes to take in the matter?

MR. MATTHEWS: The Inspector, who is now in London on duty, informs me that he has not the actual correspondence before him, but that he received a letter complaining of the heat during the cleaning out of the furnace drift. He at once saw the manager on the subject, who stated that in future the fire should be put out during such cleaning, and, as a matter of fact, the fire was put out on the following day. I do not understand that the Inspector refused to inspect that portion of the mine. It is the duty of Inspectors to visit and inspect a mine either on invitation or complaint, even if it be an anonymous complaint.

IRELAND—RELIEF OF DISTRESS.

SIR T. ESMONDE (Dublin Co., S.), for MR. FOLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his special attention has been drawn to the immediate necessity of opening relief works in the Islands of Turbot and Innisturk and the townlands of Coolacly and Ballyconnell, with the view of preventing the poor people in these localities from dying for want of food; and whether he has taken any steps to relieve the destitute condition of the people?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Relief works have been ordered to be opened in the Islands mentioned.

With regard to the townlands named, which happen to be in the Union of Clifden, railway works are in operation in their neighbourhood.

ARRESTS AT CASTLEREA.

Mr. O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give a list of the persons arrested under warrants issued from the Court constituted under the Criminal Law and Procedure (Ireland) Act, and presided over by Mr. Brady, R.M., at Castlerea, County Roscommon, showing the hours at which the arrests were made, and distinguishing the cases in which summonses were served before the warrants to arrest were made?

Mr. A. J. BALFOUR: I have little doubt the particulars can be given, but if the hon. Member will put down the question for some day next week I shall endeavour to answer it.

THE OFFICE OF HIGH SHERIFF IN IRELAND.

Mr. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the frequent complaints made in the public Press by gentlemen of limited means who are compelled to serve the office of High Sheriff in Irish counties, with its accompanying considerable expense; and whether he will take some step, either by legislative enactment or otherwise, to relieve gentlemen whose net incomes are within a certain margin from being compelled to accept a position which entails on them an expense which their incomes are unable to bear?

Mr. A. J. BALFOUR: The Government have had for some time under their careful consideration the great hardship which exists in compelling persons to serve in the office of High Sheriff, which, though now practically an honorary one, entails considerable personal expense. The matter can, however, only be dealt with by legislation, and I fear that there is no chance of any Bill on the subject passing in the present state of business.

THE CASE OF JOHN SAWEY.

Colonel WARING (Down, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the man, named John Sawey, who was convicted of stabbing Sergeant Greer, of the Royal Irish Constabulary, at Castlewellan, on the 18th of April last, and sentenced to 18 months' imprisonment on the 3rd of June, and, at the expiration of that term, to find sureties to be of good behaviour for 12 months, or, in default, to be imprisoned for a further term of 12 months, is now at large, though a period of over 10 months of his sentence is unexpired; whether this man had been previously convicted of serious offences against property in the town of Castlewellan; whether it is true, as is rumoured, that he has been released from a lunatic asylum, to which he had been transferred on doctor's certificate; and whether he has entered into any recognizances to keep the peace in accordance with the sentence passed on him on the 3rd of June; and, if not, whether any, and what, precautions have been taken to protect the inhabitants of Castlewellan from the probable effects of a recurrence of his homicidal and destructive monomania?

Mr. A. J. BALFOUR: The facts are substantially as stated in the question. The man was transferred from Belfast Prison to Dundrum Criminal Lunatic Asylum, from which he was subsequently discharged on the grounds of health, with a view to transfer to a local asylum, where he became an ordinary patient, whence he was afterwards discharged by statute, the resident medical superintendent reporting that the man was in an advanced stage of diabetes, and showing no mental symptoms. As regards the inquiry in the last part, the man has not entered into recognisances, but the Governor of Dundrum Asylum reported of the man that he was a quiet, inoffensive, and a very rational patient.

UNIVERSITY JURISDICTION.

Mr. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the Vice Chancellor of the University of Cambridge having sentenced Kate Elsdon to 21 days' imprisonment for the alleged offence of street walking, and that the trial of the girl took place in private, without evidence on oath and without the presence of a clerk; whether he will consider the expediency of bringing in a Bill to put an end to the jurisdiction of the Vice Chancellor over the inhabitants of Cambridge who are not members of the University; whether he has observed that Mr. Baron Pollock sentenced this girl to 21 days' imprisonment for escaping from the prison of the University; and whether he will consider of granting her a free pardon?

MR. MATTHEWS: I have seen a newspaper report of the case in question The Vice Chancellor's Court at Cambridge is a Court of Record, which has existed for several centuries under the authority of Royal Charters confirmed by Act of Parliament; and recent decisions of the Supreme Court have recognised that its peculiar restraining jurisdiction over certain classes of the female inhabitants of Cambridge who are not members of the University,

> "Was necessary for the preservation of discipline and morals and the prevention of the disorder which the age and disposition of the younger students would tend to produce."

I do not think it expedient to introduce a Bill to destroy their jurisdiction. As to the particular case of Kate Elsdon I will communicate with the learned Judge.

MR. LABOUCHERE: Will the right hon. Gentleman introduce a Bill to secure to these unfortunate persons a public trial, and evidence given on oath?

MR. MATTHEWS: The jurisdiction of the Vice Chancellor's Court has been reviewed elaborately by the Supreme Court on more than one occasion.

MR. LABOUCHERE: I am not asking about the Supreme Court; I do not care a sixpence about the Supreme Court; what I ask is whether the right hon. Gentleman, as a Member of this House, considers it right and proper that the trial of any person should be conducted in private, and that person sent to prison without having counsel, and with nobody present but the Vice Chancellor and a couple of bulldogs, and without evidence given on oath?

MR. MATTHEWS: I do not consider it to be any part of my duty to inquire into the manner in which any lawfully-constituted Court exercises its jurisdiction where no abuses have been brought to my notice.

PUBLIC WORKS DEPARTMENT OF INDIA.

MR. GROTRIAN (Hull, E.): I beg to ask the Under Secretary of State for India whether his attention has been called to the fact that the Secretary of State has repeatedly enjoined on the Government of India that, in the Public Works Department of India, fair treatment should be meted out, as between the Civil and Military Officers, in the matter of promotion and in other matters; and that, by notification 89 G. in the *Gazette of India*, of 13th January, 1890, a resolution was published, in which it was stated that the number of appointments sanctioned for the Military Works and Public Works Departments were distributed as follows:—one chief engineer and six superintending engineers for the Military Works Department, to 13 chief engineers and 32 superintending engineers in the Civil Department; and it was announced that

> "The Governor General in Council had been pleased to rule that in future there shall be a separate scale for the promotion of chief and superintending engineers of the Military and Public Works Departments respectively:"

whether he is aware that in the following month a Circular 390 G. of 26th February, 1890, was issued by the Government of India in the Public Works Department to the Military Works Department, stating that superintending engineers in that branch (*i.e.* Royal Engineer Officers on Military duty) would be eligible for appointments as chief engineers in the Provincial Works Branch of the Public Works Department; and whether these contradictory orders have been issued with the assent of the Secretary of State; and, if not, whether he will direct a withdrawal of notification No. 390 G. of 26th February, 1890?

THE UNDER SECRETARY OF STATE FOR INDIA (SIR JOHN GORST, Chatham): The subject of the distribution of promotion and appointments as between the Civil and Military Offices in the Public Works Department of India has already engaged the attention of the Secretary of State, who is in communication with the Government of India on the question.

REFORM OF THE HOUSE OF LORDS.

MR. BRYCE (Aberdeen, S.): I beg to ask the First Lord of the Treasury whether Her Majesty's Ministers propose to bring in in the present Session the Bill for the reform of the House of Lords which they introduced in 1888, or in any other manner to give effect to the Resolution, to which they then declared that they attached much importance, to introduce some change in the composition of that House?

*Mr. W. H. SMITH: The right hon. Member for Mid Lothian was of opinion that any measure, great or small, dealing with the constitution of the House of Lords could only be undertaken by the virgin energies of a Session, and I see no prospect in the present state of business of carrying any such measure except by general consent, of which I have no hope.

Mr. BRYCE: Was not the answer to the right hon. Gentleman the Member for Mid Lothian made on the 10th of July, and does not the right hon. Gentleman feel any difference between the 20th of February and the 10th of July?

Mr. W. H. SMITH: Yes, Sir; there is, for instance, a difference in temperature. But we have embarked on serious and difficult legislative proposals already, and there is not a hope of that general consent which is necessary, seeing that we have other duties to discharge.

Mr. LABOUCHERE: I beg to give notice that I shall oppose any Bill brought forward by the right hon. Gentleman for the reform of the House of Lords.

PETER CALLAGHAN.

Mr. BLANE (Armagh, S.): I beg to ask the Secretary of State for the Home Department if he can state what was the nature of the last Medical Report with reference to the eyesight of Peter Callaghan, of Crossmaglen, County Armagh, now an inmate of Chatham Convict Prison; whether he has lost entirely the sight of one of his eyes since his imprisonment, and the sight of the other has been affected by sympathy and likely to be lost; if he will enlarge the prisoner before his eyesight is altogether lost, or at least give him a ticket of leave as is usually done in cases where the prisoner might have suffered from many years of penal servitude; if he can say by whom the last visit to this prisoner was paid, and if he is now entitled to a visit according to the Prison Rules; and how long the prisoner has been in hospital during his imprisonment in Chatham Convict Prison?

Mr. MATTHEWS: A special Report was made in September last by Dr. Hartridge, opthalmic surgeon to St. Bartholomew's Hospital. In his opinion the right eye was quite normal and healthy, and he saw no reason why it should not remain so. The sight of the left eye was lost from an accident some years ago before Callaghan's imprisonment. Sir J. Ridson Bennett also reported to the visitors in April last that the sight of the eye was destroyed by the original injury six months before entering prison, and that there was absolutely nothing to be done for it when the convict came to the prison. These Reports from eminent authorities afford no justification for the suggestion that imprisonment has endangered or injured his eyesight. The prisoner was last visited by the hon. Member himself in August last, and he is now due for another visit. He has been in hospital four times—105 days in all—since he was admitted to Chatham Prison in 1884.

Mr. BLANE: Will the right hon. Gentleman allow me another visit to the prisoner?

Mr. MATTHEWS: If the hon. Member will apply in the usual way I have no doubt his application will be considered.

MR. DILLON AND MR. O'BRIEN.

Sir T. ESMONDE: I wish to put a question to the right hon. Gentleman the Chief Secretary for Ireland of which I have given him private notice. I desire to know whether it is the fact, as stated in one of this morning's papers, that the Member for East Mayo, at present confined in Galway Prison, is unwell; and, if so, whether he has been examined by the visiting surgeon, and whether any order as to his treatment has been made in consequence?

Mr. A. J. BALFOUR: I have received no information at all bearing upon the point to which the hon. Member refers. There is a most excellent prison physician at Galway, and I am sure every attention will be paid to the hon. Member for East Mayo.

Mr. SEXTON (Belfast, W.): I would draw the right hon. Gentleman's further attention to the report that at one of the stopping places between London and Galway, Clonmel, the hon. Member for East Mayo was placed in an infirmary cell; that on the railway journey to Galway the hon. Member did not seem to be well, but on reaching Galway was placed in an ordinary cell, whilst the hon. Member for East Cork was put in an infirmary cell; and whether both these hon. Members were examined by a surgeon at Clonmel and Galway?

MR. A. J. BALFOUR: I have no doubt the hon. Members were examined, but if the hon. Member will give notice of the question inquiries will be made.

MOTION.

SUMMARY JURISDICTION ACT (1879) AMENDMENT BILL.

On Motion of Mr. Cross, Bill to amend "The Summary Jurisdiction Act, 1879," ordered to be brought in by Mr. Cross, Mr. Coghill, Mr. Gully, Mr. John Kelly, and Mr. Talbot.

Bill presented, and read first time. [Bill 227.]

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CHURCH IN WALES.

*(5.15.) MR. W. PRITCHARD-MORGAN (Merthyr Tydvil): I rise to call the attention of the House to the injustice of the continued existence of the Established Church in Wales, and to move:—

> "That, as the Church of England in Wales has failed to fulfil its professed object as a means of promoting the religious interests of the Welsh people, and ministers only to a small minority of the population, its continuance as an Established Church in the Principality is an anomaly and an injustice which ought no longer to exist."

Hitherto this Motion has been submitted to the House by hon. Gentlemen who have grown grey in the service of the nation—gentlemen whose experience in this House has gained for them the respect of their Parliamentary Colleagues of every political shade, and whose Parliamentary services have earned for them the admiration, esteem, and affection of their fellow-countrymen. My experience here, compared with theirs, has been brief, and I ask the indulgence of the House in regard to the observations I have to make. Though I lack experience, I trust I shall not lack earnestness in advocating the claims of the Principality to Disestablishment, and in calling attention to the anomaly of maintaining an Established Church in Nonconformist Wales. Some hon. Gentlemen on the other side of the House may not have any great respect for the Welsh nation, nor for the national instincts of Wales, and perhaps the people of Wales have instinctively but little respect for them; but if gentlemen opposite would only listen to the arguments which can be adduced in favour of Disestablishment in Wales, and, instead of looking at this matter through the spectacles of Party, would endeavour to regard it with eyes undimmed by bigotry and with minds unbiassed by prejudice, they would speedily respect the cause we are advocating. I do not expect to receive a great deal of consideration from hon. Gentlemen opposite. The right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) in referring to Wales, has shown as little consideration for the feelings of the Welsh people as he has for the heads of Irishmen; and his contemptuous and contemptible phrase, *de minimis non*, applied to Wales, aroused as much indignation in the Principality as did his batons and battering-rams across the water. Now, Sir, why should one particular section, numerically small, enjoy privileges which the others, numerically great, do not share with them? Why should the Church of England be the recipient of the patronage of the State when the great majority of the people worship elsewhere than in that Church? If the people constitute the State, the Church of England in Wales is not entitled to be considered the State Church. It is not, and never has been, the Church of the people, and in all probability it never will be. If the people's Church is entitled to be considered the State Church, or if a State Church should exist at all—a question on which I hold very definite opinions—then Nonconformity ought to be established as the State religion of Wales. But no Nonconformist, no Welshman asks for State patronage, State endowment, or State establishment for Nonconformity. The Nonconformist Church of Wales, the great Church of the nation, has established itself in the hearts of the people, and no Act of Parliament can ever remove it from the throne of its authority. If the tests of custom and usage are to be applied in this matter, then Dissent is entitled to equality with the Church, for the Principality has almost universally adopted Nonconformity as its religion. What the Welsh Dissenter asks for and claims as his inalienable right is that those who differ from him in externals, though not in faith, shall have no privileges which he does not equally enjoy. From the time of its establishment by force until to-day the Church of England in Wales has ever been out of harmony with the national spirit. The Church it supplanted, Roman Catholic though it was, was the Church of the people, for when Christianity first gained a foothold in Britain it found a soil congenial to its growth in Wales. There religion and learning grew side by side. Churches arose and great schools were established which supplied scholars to the neighbouring nations and monasteries and abbeys multiplied all over the land. One Welsh county, if it were inclined to boast, could claim to be the birthplace of more saints than the whole of England. Who ever heard of the Church of England in Wales producing a single saint? Wales has saints without number, but they lived at a period anterior to that during which the Church of England was forced down the throats of the people. From the suppression of the ancient Church of Wales in 607 until recent years continual attempts have been made to keep Wales under the heel of English tyranny. There was a foreign garrison in the land. The clergyman, who could not speak the language of the people, was supposed to be in legal possession, although, like the Irish landlord, he preferred to live a long way from the village in which it was his duty to be interested. Attempts were made to suppress the Welsh tongue in the same way as attempts were made to suppress Welsh Nonconformity, but in both cases the attempts were failures.

Leaving for the moment remote history we will now deal with more recent events. At the Swansea Church Congress, the late Dean of Bangor formulated a terrible indictment against the Church of which he was one of the brightest ornaments. Speaking of the 150 years which succeeded 1700, he said—

> "For 150 years every teacher whose name lives in the hearts of the Welsh people has been, without exception, a Nonconformist. While the Bishops were laying hands upon unfit men, the natural, heaven-born teachers of Wales were influencing thousands in the chapel and *cymmanfa.* Of the clergy those who were educated knew no Welsh, and those who knew Welsh were not educated. Those who had something to say could not say it to the people, and those who could say it had nothing to say."

To-day, Sir, perhaps things are somewhat different. The Church has to some extent awakened from its sleep of centuries, and is putting forth endeavours by every means at its disposal—advertising and otherwise—to attract the attention of the people of the Principality. Within the last few days I have been favoured with an exceedingly clever circular letter from a rev. gentleman who lives at Brymbo, near Wrexham. He says—

> "No sooner had I built one church in this parish at the cost of £2,300 than I am pressed to build another one. This church is to be a Welsh church. Ever since their church fell down, 20 years ago, the Welsh congregation have had no better building than the day-schoolroom to worship in. Last year that congregation, in addition to paying their own current expenses, handed over £20 towards the Curates' Fund. They alone have collected this £200,"

and he gives a *fac simile* of the cheque, which is somewhat similar to the notes on the "bank of elegance."

MR. BYRON REED (Bradford, E.): Will the hon. Gentleman pardon me? He has omitted the next line of the letter.

*MR. W. P. MORGAN: The next line reads as follows:—

> 'They alone have collected these £200, many of the colliers giving one or two guineas, and as much as £5 coming from some colliers' houses."

More shame say I that a rich Church like the Church of England should try and wring from the homes of these colliers a sum of £5 which the poor men could ill afford to pay. Now let me read the letter which accompanied this cheque:—

"Dear Vicar,—

We have much pleasure in handing you enclosed cheque for £200, the sum raised by our house-to-house collection. The women hope to clear £100 by their sale of work, and between the laying of the foundation stone and the opening service we hope a further £100 will be raised, making £400 in all. Had the parish not so recently given £700 towards the building of the new English Church there would have been sufficient money forthcoming from us. May God bless our humble efforts, and create much sympathy for us, a Welsh congregation in a Welsh parish, without a church to worship in!"

That means that a number of English people have migrated to this part of Wales, where industries are increasing to some extent, and shows that the alleged growth of the Church of England in Wales is not due to the Welsh people, but to the English people who migrate there. This letter, to my mind, shows that conclusively, otherwise the vicar of this essentially Welsh parish would have first endeavoured to collect the money for the building of the Welsh church, and afterwards, if there had been any balance left, would have set about the building of an English church. But nothing of the sort—he spent £2,300 upon an English church, and then gave the Welsh people something from the fragments after the English church had had the solid loaves and fishes. So much for the Rev. Hugh Roberts of Brymbo. Now I wish to refer very shortly to some statistics, which will show—and I do not think that the figures can be questioned by any hon. Member—that the Church of England in Wales has, in the words of the Motion, "failed to fulfil its professed object." In 1676 the Church of England in Wales boasted of 391,297 adherents, while the Nonconformists in that year only had 10,960, so that we find that in 1676 the Church of England in Wales held 96 per cent. of the worshipping people of the Principality, the Nonconformists claiming only 4 per cent. of them. It may be, and doubtless will be, urged that at that time the Church of England was nominally, if not spiritually, the Church of the people. Whatever it might have been then, I think I can show the House that beyond all question the Church of to-day has ceased to be even the nominal Church of the people. The Church boasted in 1676 of more than 390,000 people; but when we get to the year 1801 we find the Church had so far lost its grip upon the people—if, indeed, it ever had a grip—that the Church only provided sittings for 233,730 people, and it will be safe to assert 200,000 of these seats were never filled. In the same year Nonconformist churches provided sittings for 115,107. It will, therefore, be seen that in 1801 they had increased from 4 per cent. to something near 50 per cent. And then what about the open air meetings, the cymmawfas, where the people used to assemble in thousands for public worship, and to hear the Gospel preached under the canopy of Heaven, in the manner in which our great Master first gave His Gospel to the world? Nonconformity was too poor to build churches at that time, but, fortunately for the Principality, the spiritual growth of the people was accompanied by the increase of temporal prosperity, and in 1851 the state of things was very different to that existing at the commencement of the century. According to the Public Worship Census Report, while the Church of England in Wales provided accommodation for 268,953 people, other churches outside the pale of the Church of England provided for 599,520. Right hon. Gentlemen who profess to belong to this Church and sit on the Treasury Bench smile and sneer at these figures; but they are figures which they cannot dispute, and if they had the true principles of Christianity at heart they would give the people of Wales what they want—equality in religious matters. That is all they ask. Although numerically much stronger, they do not wish to be in a better position than the Church of England; they only claim equality of position in religion. According to the Report from which I have quoted, the Roman Catholic Church provided sittings for 2,823 persons in North Wales, and now I will give the percentages and the precise figures, so that there may be no question hereafter, and that advocates of the Church, like the hon. Member for Bradford (Mr. Reed) may have the opportunity of meeting facts and figures in detail. In North Wales the percentage of sitting accommodation in churches to population was, in the year I speak of, as follows: Church of England, 28·3 per cent.; Nonconformists, 62·5 per cent. In South

Wales the figures were: Church of England, 25·5 per cent.; Nonconformists (not including Roman Catholics), 57 per cent. In 1851, therefore, the Church of England provided for only a quarter of the population of Wales. On March 30 in that year, the attendances at Church of England places of worship were 109,533, while on the same day Nonconformist attendances were 432,274. The churches were not half filled; the chapels were filled to overflowing, independently of many open air meetings held throughout the Principality. In 1879 the Church of England Congress was held at Swansea, the Church people, I suppose, hoping that by coming into direct contact with the Welsh people they might inspire them with the fire and zeal existing among the Church Party! At that Congress the late Archbishop of Canterbury asked "why they saw so many dissenting chapels in every valley and on every hillside." The power of Welsh dissent appeared to be unknown to the heads of the English Church. The hon. Member for the Swansea District (Sir H. H. Vivian) promptly supplied the answer to the query—

> "There was more vitality in a religion voluntarily supported than in a largely endowed religion."

Lord Aberdare, another staunch Churchman who once sat for the constituency I have now the honour to represent, said at that Congress—

> "Religion would have disappeared from the country but for the exertions of the Nonconformists."

At this same Congress the Dean of Bangor, from whom I have already quoted, further declared that the Church in Wales "had lost five-sixths of the Welsh people." Indeed, the wonder is that the Congress did not proceed to terminate its proceedings by passing such a resolution for disestablishment as that which I am now submitting to the House. Subsequently to the Congress, controversy arose, and questions were raised, as to the number of persons attending the different places of worship on Sundays, and in 1881 or 1882, I am not clear which, a census was taken of the public worship attendance in four representative towns, Carnarvon, Llanelly, Conway, and Wrexham. The attendances on a given Sunday were as follows: Church of England, 3,902; other places of worship, 14,801.

Mr. BYRON REED: May I ask the hon. Member was this an official or a private census?

*Mr. W. P. MORGAN: I have many statistics from which I shall be delighted to give the hon. Member all the information I can. This is information supplied by a private census.

Mr. BYRON REED: Hear, hear.

*Mr. W. P. MORGAN: They are facts, let me tell the hon. Member for Bradford, which have never been disputed, never been contradicted by any of the heads of the Church. I do not think the hon. Member, the great champion of Church government in North Wales, if he will visit the Principality, can doubt that Nonconformity is the form of worship adopted almost universally by the people, and that the Church of England is nowhere in comparison. The figures I have given are beyond dispute in the four towns mentioned—Church, 3,902; Nonconformity, 14,801. In 1884 a Sunday Church Attendance Census was taken at Swansea—a representative Welsh town—and I do not think there can be any question as to the accuracy of the figures: Church of England attendances on a given Sunday, 8,834; other places of worship on the same day, 40,702. In Cardigan—the county in which the Church of England in Wales has its Training College, and where one would think the Church would be somewhat stronger than in other parts of Wales, because it is clear the Church would scarcely set up its Training College in a spot where the Establishment has the least sympathy among the inhabitants—in Cardigan we find attendances: Established Church, 666; Free Churches, 5,693. Look at the diversity of the figures; see how they have altered since the end of the 17th century and the beginning of the 18th; altered to such a remarkable extent that I do not see how it can be claimed that the Church, as established, is the Church of the people of Wales. In largely populated districts like the Rhondda Valley, a district so well represented by my hon. Friend on my left (Mr. Abraham)—in a district such as that, composed almost entirely of a working-class population, the figures give a comparison which ought to bring a blush to the cheek of any man on that side of the House who gets up to support the Church of England Establishment in Wales. The incomes of the people in the Rhondda Valley are small; they work hard for their daily bread, but they build their chapels, and supply the ministers who provide for the spiritual wants of the people. In the Rhondda Valley the attendances were: Established Church, 3,949; Free Churches, 51,712. Who, in the face of these figures, will dare contend that the Church of England is the Church of the Welsh people? Lest some of the opponents of Disestablishment may be inclined to imagine that the figures I have so far touched upon have a local rather than a national significance, I will call attention to figures which I know may be received with a certain degree of irony by hon. Gentlemen on the other side. They are vouched for by Mr. Thomas Gee, of Denbigh, the able editor of the leading vernacular newspaper in Wales, the *Banner*. I quote my statistics from Mr. Gee's letters to the Dean of St. Asaph's, published in the Welsh language, and, before quoting them, I may say that their accuracy has never been challenged by the Dean. The census was taken on January 9, 1887. In North Wales the attendances for the day, including morning and evening services, were: Nonconformist chapels, 317,078; Church, 87,438. In South Wales: Nonconformist chapels, 468,731; Churches, 89,047. So it appears that in 1887 the attendances at Church were in the North about one in every five, and in the South one in every six of the Nonconformists. But, to further strengthen my case, and so that our opponents may not be able to say that the House has only had ancient statistics submitted to it, I will give the result of a Sunday census taken within the last two months. The editor of the *Genedl*, another enterprising vernacular newspaper, has recently sent round a special commission to gauge the actual attendance in the Churches of England in North Wales, and through the courtesy of the editor I am able to give the House the information obtained. In one church, Llithvaen, eight persons attended service; in another, Pystyll, seven persons; in Llandedwrn two persons; in Penllwch two persons attended service, and the congregation in this instance consisted of the parson's wife and the churchwarden; and in another church visited by the commission, Ciedio, near Nevin, the commissioner himself formed the entire congregation. So that if he had not attended from motives of curiosity, the parson would have had the church to himself. This reminds one of the anecdote of Dean Swift, who, finding only the clerk in attendance at service, proceeded in this form: "Dearly beloved Roger, the Scripture moveth you and me in sundry places, &c." In a periodical which has lately come before the public, the *Religious Review of Reviews*, a magazine which gives a considerable amount of information respecting various denominations, and which, from the comprehensiveness of its scope, is likely to have a broadening influence upon the religious world of to-day, I notice an able article by Mr. Bompas, Q.C. That gentleman argues for disestablishment without disendowment, and suggests that the initiative should come from the Church. But if we wait until that suggestion is carried out I am afraid we shall wait a long time. I do not believe the Church will inaugurate any movement of the kind unless it is driven into a corner; and I object to the Church appropriating to herself property which is undeniably national. The Church take the initiative? Why has the Church in Wales aroused from its sleep? Because the desire exists to give spiritual instruction to the people? Certainly not; it is the cry of disestablishment and the fear of losing its loaves and fishes that has awakened the Church. Were it not for endowments and tithes we should have a very sorry battle, and, on behalf of the Nonconformists of Wales, a very easy victory. Now let me glance at the Church of England from an economic standpoint. The annual income of the Church of England in Wales is estimated at £256,000, and the nominal members of that Church are about 250,000. This is a liberal computation, and I doubt if there is that number of actual members. But allowing 250,000, the cost of religious ministration to this section of the community is £1 per head. That may not seem, nor do I think it is, at all unreasonable, until we come to compare it with the

Nonconformist figures. What are the figures on the Nonconformist side? The annual income derived from voluntary subscriptions, given for the most part by working men—men whose wages do not admit of their giving large amounts, and therefore the sum must be made up by an enormous number of contributors—is no less than £400,000, and for this Nonconformity administers to the spiritual wants of at least a million people. Nonconformist ministers may be and doubtless are, in many cases underpaid, but they know perfectly well that if they have any talent at all that their talent will not remain long unrecognised; they know that advancement in the Nonconformist Church is by merit, not by favour, not by money, nor by influence—friendly or political—or otherwise. Those who are interested in the subject of "sweating" may with advantage turn their attention to what goes on in the Church of England. Whilst poor, hard-worked curates in large towns receive a paltry pittance of £120 a year, the Bishops live in Palaces, and for doing very little receive stipends equalling, in some instances, the emoluments of right hon. Gentlemen who occupy seats on the Treasury Bench. In the diocese of St. Asaph—the diocese which perhaps attracts more attention in this Debate from the interest the Bishop takes in this matter—in the diocese of St. Asaph there is a parish — Llandyrnog — with a population, including Dissenters, of only 475, where the clergyman enjoys a living worth £700 per annum, and there are many other similar cases, while in large towns the paltry pay of curates is a scandal of which Churchmen ought to be ashamed. I should like to call attention to a computation made by a clergyman of the Church of England, and I suppose his figures will be accepted even by the hon. Member for Bradford. In Clarke's *Prebendaries* the income of the Church is put down as £325,226, and this may be taken as the minimum amount, for it excludes annual payments from the Augmentation Fund and for pew rents, and adding these and local contributions we may call the amount £380,000 for the four Welsh dioceses. With this ministration is given to 350,000, including children, out of a population of 1,750,000. These figures differ from mine, but the result is practically the same. Doubtless we shall hear that many Nonconformist ministers are leaving their chapels and joining the Church of England. Certainly there are a few weak-kneed mediocrities who have gone over to the Church of England, but they are men of no intellectual capacity, otherwise their talents would be appreciated in the ranks of Nonconformity, and Dissenting congregations do give their ministers sometimes very handsome salaries indeed. On the other hand, we know that the ranks of Nonconformity have been reinforced by some of the noblest sons of the Church of England in Wales. We shall be told there is an awakening in the Church and signs of an earnest desire for reforms; but the cry of "disestablishment" has caused this—the fear of the loss of worldly wealth. The political influence of Nonconformity in Wales was asserted in 1868, when the Nonconformists returned as their special representative here my revered predecessor, the late Mr. Henry Richard. From that time until to-day it has been growing politically, socially, and religiously, and it now claims the equality which is due to it. Wales has not forgotten the fact that the right hon. Gentleman the Member for Mid Lothian, in his desire to give religious equality to the people of Ireland, was instrumental in disestablishing the Church in Ireland, and the Welsh Members are glad to see him in his place to-night, and hope that his voice will be lifted up for Wales as it was for Ireland. Wales has not forgotten the statesmanlike references made by the noble Lord the Member for Rossendale (the Marquess of Hartington) in respect to the disestablishment of the Church of Scotland, and she hopes that if he does not by his voice support the Motion for the Disestablishment of the Church in Wales, he will do so by his vote. Wales has not forgotten the services to religious freedom which have been rendered to the people of this country by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), and I have every reason to hope the House will hear the right hon. Gentleman's voice in support of the Motion. Irish Members in the House will not fail to support us, because they received for their disestablishment valuable support from Welsh Members. I also hope we shall receive support for the Motion from the rank and file of those who call themselves Unionists. Whatever their opinions may be with respect to what they call the integrity of the Empire, I trust they will not abandon the professions they made to their constituents, and the principles they have promised to adopt, by failing to support the claim of the Welsh people on this occasion. But there is another class to whom I appeal—namely, those who profess no particular creed, who worship at no particular Church—men who are practical Christians, although they are not considered orthodox Christians—men who by their lives and their conduct towards their fellow-men show they are following out the teachings of the Great Master. I implore those men to assist the Welsh people in attaining their desire for religious equality. It may be asked whether the Church will suffer by disestablishment. I do not think it will. The members of the Church of England will take a far deeper and keener interest in their Church if it is less a Church of the priests and more of the people. It is true, if the Church is disendowed, Church people may have a little more to pay for their religion; but they can afford it. What I now ask for is a declaration that the time has arrived for the disestablishment of the Church. Take as an object lesson the Australian Colonies. In their infancy many of those colonies aided all religious denominations. Now, however, no Church receives State aid. What is the consequence? The Church of England in the Australian Colonies is as vigorous as Nonconformity in Wales. The people freely contribute to keep the Churches going, and they are far more popular than they otherwise would be. It will probably be argued that the Church in England and Wales is one and the same institution. That, I admit, is an argument which, upon the face of it, appears to commend itself to the House; but the Licensing Laws of England and Wales were the same, yet a Sunday Closing Act for Wales was passed at the direct wish of the people. An Intermediate Education Act—a measure of great and vital importance to the Principality—was passed at the request of the Welsh people, and Well's charity was dealt with in a manner which almost converted me to the belief that there is no necessity for Welsh Home Rule. I and my colleagues ask that effect should be given to the wishes of the people in respect to the Church; and the people of Wales have, by an overwhelming majority, expressed the opinion that the time has arrived for the disestablishment of the Church. There will be opposition to the Motion from hon. Gentlemen opposite, who blindly follow the Government. But I see sitting in his place the hon. Member for Devonport (Sir J. Puleston). I am sure the hon. Gentleman, as an ardent and proclaimed Nationalist, will hesitate before he goes into the lobby in opposition to the Motion. The hon. Gentleman will have to decide whether he will serve his country or his party, and in view of possible contingencies at Carnarvon he may possibly come to the conclusion that he will better serve his party by voting in favour of the Motion rather than against it. There is opposition even in Wales itself, but who are those in Wales who are opposed to disestablishment? Are they the representatives of the bulk of their countrymen? Are they the elect of the Welsh nation, the exponents of the will and desire of the people? No, they are nothing of the sort. They are the Bishops, and Deacons, and Archdeacons, and Canons, whose only claim to be the successors of the great Apostles seems to lie in inditing uncanonised epistles to the newspapers. The anti-disestablishment party in the House is led on this occasion by the hon. Member for Oswestry (Mr. S. Leighton), and the hon. Member for East Bradford (Mr. B. Reed). It is a peculiar circumstance that the Government have been unable to find any representative of the people of Wales to propose any Amendment to the Motion. Although he comes from a neighbouring county, the hon. Member for Oswestry is of all men in the House the least capable of expressing an opinion with reference to the Welsh people. I join issue with the hon. Gentleman when he says in his Amendment that the Church claims no portion of its revenues from taxation. Tithes may not legally be designated as taxation, but still they are looked upon by the people of Wales as a most iniquitous system of taxation. It is well-known that the hon. Member for East Bradford, another spokesman of the Anti-Disestablishment Party, is the exponent of the opinions of the Church Defence Organisation. The hon. Gentleman receives his retainers and refreshers from the Church, and comes to the House periodically for the purpose of preventing the Welsh people, of whom he is absolutely ignorant, getting that which they so justly demand. If the Government and Parliament are desirous of having peace, harmony, and contentment in the Principality, they will agree to this Motion; they will not further irritate the people by bolstering up in their midst a Church in which they do not worship, a Church with which they have no sympathy, but will give them that equality in religious matters without which the people of Wales ought not to be, and never will be, satisfied.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Church of England in Wales has failed to fulfil its professed object as a means of promoting the religious interests of the Welsh people, and ministers only to a small minority of the population, its continuance as an Established Church in the Principality is an injustice which ought no longer to exist."—(*Mr. Pritchard Morgan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(6.18.) MR. DILLWYN (Swansea, Town): I cordially approve of the Motion of my hon. Friend whose speech has been so exhaustive and conclusive. I happened a day or two ago to come across the *Record*, and I have noticed in that newspaper that the Bishop of St. Asaph had declared that in about five years time the Church, so great is its progress in Wales, will be able to meet the Nonconformists on their own ground. I think the right rev. Prelate is greatly mistaken. I know Wales pretty well, for I have lived there all my life, and I consider that Welsh Nonconformists are more active and more decided than they ever were in my memory. My hon. Friend had alluded to the national instinct of the Welsh. I have no hesitation in saying there is no part of the United Kingdom where there is more distinct nationality on the part of the people than there is in Wales. The people have a literature of their own, a language of their own, and laws of their own. I believe that Welsh is more spoken now than it was when I was young. It is, perhaps, well to explain the reason why this question, which has been discussed in the House before, has been brought up again. The Welsh people are constantly urging their representatives to bring the question forward. Every day the people become more alive to the necessity of Disestablishment, and day by day it becomes more difficult for the Welsh members to resist the appeals made to them. But there is another reason which induced us to bring up the question. I and my hon. colleagues know we shall not carry our Motion tonight, but the divisions which have taken place in past years have shown that the feeling in favour of Welsh nationality is increasing year by year, and it is our desire to again test that feeling. I do not expect justice so far as the Welsh Church is concerned at the hands of the gentlemen who at present occupy the ministerial benches, but we do expect justice at the hands of the English people. It is to the English people we appeal. We know that before very long there must be a General Election, and it is well, before that election takes place, that the masses in England should be reminded that the Welsh people are as much as ever opposed to the establishment of the Church. I am satisfied that if the Church in England occupied a similar position to the Church in Wales things would not remain unaltered for a single Session. I believe that at the next election the English people will do the Welsh justice, and that Welsh disestablishment will be amongst the foremost questions which will engage their attention. It is said that the disestablishment of the Church will be an act of spoliation and robbery. I do not know what spoliation and robbery means if disestablishment will be spoliation and robbery. What I understand spoliation to mean is the despoiling somebody of property which belongs to them. Does the Established Church belong to any particular body? Is there any particular body who holds

it in fee simple, or as a bit of freehold? Not that I know of. It is national property held from the State. The Queen is at the head of it, and it is an arrangement organised by the State and aided by the State for the purpose of providing for religious ministration. The Established Church in Wales is the Church of a small minority of the population, and we ask the House to declare that its continuance is an anomaly and an injustice which ought no longer to exist.

(6.30.) Mr. W. E. GLADSTONE (Edinburgh, Mid Lothian): I feel myself, Sir, indebted to the courtesy of the hon. Member opposite, who is to move the Amendment to this Motion, for having waived his claim to press that Amendment immediately after the speech of the Seconder of the Motion. I am bound to say that I am glad to have an early opportunity of intervening in the Debate, because I do not think that I am able to adopt wholesale all the statements made by the hon. Member who brought forward this Motion in his comprehensive speech. I shall exercise a just right in stating to the House, in my own tone and manner, my views on the question, and in dealing with the subject in a way less likely to sharpen the opposition than my hon. Friend found it necessary for himself to adopt, with the views he takes of the present action of the Established Church in Wales. If I go back for a period of 50 years—and my own knowledge of Wales has extended over the full range of that term—I could not speak of the Established Church in Wales at that period as I am able to speak of it now. At that period its administration was undoubtedly open in many ways to very heavy censure, and feebleness was everywhere—or almost everywhere—manifest in its discharge of its duties. At present, however, the case is different. I do not look at this Motion of my hon. Friend with a disposition to apply the microscope to its wording, because I might be obliged to say that it does not give full effect to my own views in one or two particulars. In the first place, I do not think that there is great historical precision in the words which the Motion adopts, though I understand the motives leading to their adoption. There is, for instance, a phrase which describes the Established Church in Wales as the Church of England in Wales. As far as I know the history of the case—and I have done my best to acquaint myself with it, though I believe that there is no standard work on the history of the Established Church in Wales during the whole of the long period over which it has existed—but as far as I know that history, we might really speak with as much justice of the Church of Wales in England as of the Church of England in Wales. We know that towards the close of the sixth century of the Christian era—and I hope that the House will not be dismayed at my going back so far, for I will certainly pass over the intermediate period—when England was still barbarous to a great extent, and almost wholly dechristianised in the south, and east, and centre, Christianity existed and even flourished in the northern extremity—which was in partnership with Scotch Christianity—and also in portions of the west, which were connected with Wales. For St. Augustine or his representatives—the missionaries sent by Pope Gregory VIII.—were met by bodies of Welsh Christians, who represented the Christian Church existing in the country from a very early time, and reinforced by refugee British, who were driven by the Anglo-Saxon pressure into these western districts. These were the true representatives of the Church in Wales, which Church has, as far as I am aware, continued from that day to this—that is, looking at it from without and in its corporate capacity. This is a very curious history—the history of the Church in Wales. It would be difficult to find in any portion of Christendom a more signal example of noble, magnanimous and self-denying conduct on the part of the body of the people than the effort which has been made—especially during the present century—by the Nonconformists of Wales to make a provision for their own religion. It is not to be asserted that at all periods the Welsh people had felt the deficiency of that provision. It is a very curious fact that what is termed the Anglican administration, as it operated in Wales, conferred upon the people of Wales one very great and signal blessing, which was highly appreciated by them, and that was the introduction of their mother-tongue into the services of the Church. It was a thing which could be dispensed with, perhaps, in England, where the language was strong and where its roots ran through every fibre of the community. But in Wales the language was weak, drooping, and losing ground; and it was owing to the introduction of the mother-tongue into the services of the Church that the Welsh people were, for a long time after the Reformation, Established Churchmen. My hon. Friend will find testimony to that fact in the history of Mr. Hallam and in other historical authorities. In point of fact, no person could have more conclusively established the point than has the hon. Member himself to-night; because he went back—and I am very much obliged for the interesting information which he gave us—to the year 1676; and he showed us that at that time, while the strength of the Church was represented by 391,000 persons, the strength of Nonconformity at that period—that is to say, the strength of Puritanism—was represented by only 10,000. It would have been impossible at that period—if my hon. Friend had been a Member of the House of Commons in 1676 instead of in 1891—it would have been impossible for him at that time to have made a Motion to the effect that the Church in Wales had failed to fulfil its professed object and ministered only to a small minority of the population. After that came a period most unhappy and most deplorable for Wales, when the Welsh language was proclaimed and put aside, and when, in neglect of native claims, Englishmen came in to occupy every bishopric, every deanery, and every benefice throughout the Principality, quite irrespective of the voices of the people. Then the Welsh people were driven, as I may say, into the wilderness, and then the Welsh people, who are now and who have always been a most devout and most religious people, felt the grievous necessity under which they were placed, and they set about, what was for them, the gigantic effort of providing themselves with the means, the ordinances, and the material appliances of religion. That is the case; and it is a circumstance of great satisfaction to me that, in approaching the question as it now stands, I have nothing to do but to confess my sincere and hearty congratulations to both sides of this question in Wales. I believe that there is great activity in the Welsh Church. I have seen it grow under my own eye. I am not now speaking of my own parish. That is a large, populous parish, where the Welsh tongue has never been native, and which is, like many other parishes in Wales, much more English than Welsh in its circumstances. But speaking of the Church itself in Wales, I do not hesitate to say that though I believe the precepts of Nonconformity are not narrowing, that the energy of Nonconformity is not diminished; that it retains its place in the hearts of the mass of the people; yet the efforts and exertions of the Church now and for a good many years, and the growing and increasing efforts, are such as do, in my opinion, great credit to the energy both of the clergy and of the laity of that Church. I render them ungrudging recognition; and I do not think it my duty on this occasion to withhold any portion of the praise which is their due. A representation was made to me to-day by a dignitary of the Established Church, and it is this. He founded himself on a book which is an Anglican authority—the *Official Year Book of the Church of England*, and which may be termed, in a certain sense, authoritative, and which is friendly to the Established Church in Wales. What he told me was this. That the rental of Wales, as compared with the total rental of England and Wales, was 4 per cent.; that the population of Wales, as compared with the total population of England and Wales, was 6 per cent. But that the contributions of Churchmen towards religious objects and the support of the Church in Wales, as compared with the total contributions of England and Wales to the same objects, was not 4 per cent. or 6 per cent., but no less than 14 per cent. That is a statement which I think stands in strong, and I may say extraordinary, contrast with the extremely painful, nay the very disgraceful records of the past which is now becoming remote; and in endeavouring to do justice to Wales I find myself not in the slightest degree able, any more than I am disposed, to found this Motion upon the idea that there is on the part of the clergy of the Established Church in Wales the slightest tendency or disposition to neglect their duty, or that there is not abundant evidence of the inspiring efforts—and in many cases the very self-denying efforts—which they make to extend the administration of the Church and the means of meeting its local wants. I quite agree with my hon. Friend in one point which is not immaterial. He says, with perfect truth, that there is a very considerable English immigration into Wales. There is a mining immigration which leads to an English demand in the matter of religion; although I believe it is also a remarkable circumstance that the families of these English miners ultimately become Welsh, adopt the Welsh language, and tend to swell the number of persons speaking Welsh. But, at the same time, there is an English immigration. There is also a very considerable immigration of English to the watering-places of Wales. That may account for some portion of the remarkable figures which the defenders of the Established Church are able to allege on their own behalf; but I do not think that it at all abates what has been said in regard to the increasing devotion of the people, as well as of the ministers and the governors of the Church, in the prosecution of their duties. But then the question is asked why interfere with that state of things? If the Church is active and progressive and the Nonconformists are contented, why interfere? But, Sir, the Nonconformists are not contented—and the question is, whether they are entitled to be contented? Sir, the Nonconformists are making, in the most distinct terms, in a voice very audible indeed, and governed by all the forms of the Constitution, a demand which I, for one, think it my duty to listen to, and which I feel convinced before any great length of time has elapsed, even quite irrespective of the present divisions of Party, will have to listen to, and will be disposed to listen to. I agree with almost everything that was said by my hon. Friend the Seconder of this Motion, who spoke with a weight that belongs to his high character and his long devotion to this cause. I think he is perfectly right in what he said with respect to the vivid sentiment of nationality in Wales I do not think that the Welsh people are disposed to make inconvenient claims upon that subject. I believe that whatever they ask will be confined within the bounds of reason and moderation. But I do think that my hon. Friend is entirely justified in stating that that sentiment exists, and exists with great force and activity in Wales, and that the people of Wales will ask and will expect, and, so far as they constitutionally can, even will insist, that in the proceedings of the British Parliament due regard shall be paid to those several and distinct claims which the Welsh people within their own bounds and limits are warranted in making. Well, Sir, I am bound to say that in this matter I regard myself as having no title whatever to praise on the part of the Welsh Nonconformists. I have done nothing to press their cause forward. I have waited for their deliberate and sufficient expression of judgment upon it. If there is anyone entitled to praise in this matter, of those with whom in other times I was officially connected, undoubtedly it is my noble Friend the Member for Rossendale. Such is the modesty of my noble Friend that he shakes his head and repels the compliment. I must insist upon placing on his head the crown which he is entitled to wear, because it is a matter of record that when he was leader of the Liberal Party, and spoke in that capacity on an important occasion in Scotland — of course, I admit that the parallelism in the case of Scotland and Wales has yet to be confirmed; but still what I am now saying is simply to assert that my noble Friend did take a bold step as a leader, and entitled himself to great honour and credit on account of that bold step, when he declared in Scotland that the question of Disestablishment was a question which must be decided according to the sense of the people of Scotland, and that if the wish of the people of Scotland were in a direction contrary to the wish of the people of England, as declared by their Representatives, then the wish of the people of Scotland ought to prevail with respect to the continuance or discontinuance of their own ecclesiastical establishment. Well, Sir, I do not know whether my hon. Friend is inclined to insist strongly upon the want of parallelism between the case of Scotland and the case of Wales. But even in the case of Scotland, following the banner of my noble Friend and waiting till I thought there had been sufficient Parliamentary and electoral manifestation to place the matter of fact beyond all doubt, I gave a very deliberate adhesion and support to the Motion of the hon. Member for Glasgow last year. Following, as I said, the banner of my noble Friend, but unhappily following it, not in conjunction with the person of my noble Friend, I could not fully and absolutely comprehend in my innocence why he should be found in the opposite lobby after his authentic, authoritative declaration that disestablishment must be decided by the voice of the people of Scotland. I do not know whether I am right that my noble Friend did not deem the declaration of the decision and the sense of Scotland to be sufficient to make it imperative upon him to give his vote in support of the Motion. Well, I do not know how that is, but I think that when you look at the state of opinion in Wales and the form in which that opinion may be expressed, has been and will be expressed, there can be no doubt whatever about it. Now, I have no question all that I shall be referred, and very fairly and properly saluted with citations from a speech of my own on a former occasion—I do not remember exactly in what year—[Mr. G. OSBORNE MORGAN: In 1870. Twenty-one years ago.] Since then I have had time to be born again, and come of age. The passage to which reference is made was that it is impossible to separate the Church of Wales from the Church of England. I may have used that expression. I think it very possible that when disestablishment in Wales was proposed more upon the judgment of an individual, or of a group of individuals, than as the distinct expression of a strong, distinct, deliberate, and pervading national sentiment, it is quite possible that I may have used that expression, which may, when strictly regarded, be found to involve an element of exaggeration. Well, I might have said that, in my judgment, it was impossible to re-construct and re-adjust the Income Tax; but, at the same time, if the people of England, in their deliberate mind and by an overwhelming majority, arrived at the conclusion that that must be done, it would be the duty of Members of Parliament to set about it and do it as quickly as possible. And I say now what I believed then, and what I believe now, that the operation of disestablishing the Church of Wales from the Church of England will not be found very easy. I suspect that it will be found that it is tied and knotted and tangled, I might almost say, in such a multitude of legal bonds and meshes with the general body of the Church of England, that it would be a very formidable matter indeed to accomplish this purpose. I think the Mover of this Motion was very wise in not making any such attempt, which, if it is to be done, is to be done by the Government, and I have no doubt it will require all the skill, all the knowledge, and all the care, and let me say more, all the sense of equity and moderation that can possibly be brought to bear upon it in order to carry through the work in a satisfactory manner. Well, so much then for the question of the impossibility of which I have endeavoured to dispose, so far as the words are susceptible of verbal explanation. Well, then I must look at the whole case—and I think I observe one or two gentlemen opposite smiling, or a little more than smiling, but permit me to say that there are a great many things which the Tory Party have believed and have declared to be impossible, and which afterwards—I do not wish to make any invidious reference—under adequate pressure they have been perfectly willing and perfectly competent to achieve. Now, Sir, the question is, what does justice demand of us in this case? Well, undoubtedly, I am aware that the Established Church in Wales is an advancing church, an active church, a living church, and I hope very distinctly a rising church, rising from elevation to elevation. I do not say that the case of the Church of Wales is a repetition of the Church of Ireland; but I do say this: that it is a repetition of the Church of Ireland in two vital points, two vital and determining points, apart from the general abstract principle of establishment, which it is not necessary for me to enter into at this time. In two vital and determining points I cannot deny that the case of the Welsh Church corresponds with that of the Church of Ireland. In the first place, it is the church of the few against the church of the many; and, in the second place, it is the church of the rich as against the church of the comparatively poor. These broad features are so stamped upon the case that, in my opinion, it is impossible to deny them. Very well, Sir. In that state of facts, have the people of Wales given their judgment upon this question? I cannot deny that upon the whole, and not in a very rigid sense, but still in a somewhat substantial sense, it still remains a proportion coming not very far from the truth to say that the Nonconformists are the people of Wales—undoubtedly the bulk of the people of Wales. The enormous majority of those classes that can in any way be distinguished from the people, or from the mass of the nation, is outside the pale of Nonconformity. Looking at their numerical preponderance, even upon the entire population, and looking at the distribution of various classes of society, it was not very far from the truth to say, though I admit there is some element of exaggeration, but only a very limited one, that the Nonconformists of Wales are the people of Wales. The Motion of 1870 was probably the first serious Motion that was made in this House for Welsh disestablishment. Since then unquestionably the subject has taken a far wider scope. It has been under notice in the minds and in the hearts of the Welsh people. If a judgment has been given it has been given, and the conviction on which it was formed was formed, upon such knowledge as it was possible for the person forming the judgment to attain. That being so, after the full knowledge that a very large numerical preponderance had spoken — for although the Established Church may be a considerable body in Wales, yet it is comparatively small when compared with the entire population—that preponderance of the population has spoken again and again on every occasion which was given to it; and if the occasion is given to it again no one will deny that it will speak in terms as intelligible and unmistakable and decisive as those to which it gave utterance at the General Election in 1886, and at former General Elections. They have returned some 30 Members, so distributed that the Party which we term the Liberal Party claims 25 as against five to whom we think the description of Liberal not altogether applicable. That is not quite an accurate account of the matter; for, as I am told, I must still make a further addition to the majority, and a further subtraction from the minority, which makes the majority one of 27 to 3—a majority constitutionally, lawfully, peacefully, regularly, and I may say repeatedly returned to Parliament. Wales having thus spoken, is it right, is it desirable, can it long continue, that by English opinion such a declaration proceeding from Wales should be disregarded, contravened, and overruled? It may happen once or twice. I will not say how long it may continue. I will not undertake to define the length of time in months or years. In politics it is dangerous to predict. But this I will say—it will be a very little time. It cannot sound well in the ears of the people of Wales, it cannot seem well in their eyes, it cannot savour well in their nostrils, if, when this House divides on this question, the opposition to the overwhelming proportion of Welsh opinion will hardly have a solitary Representative from Wales, for I am told we are not quite certain even of the three. The remainder of the majority will be composed of hardly any Members from Ireland, in a very small degree from Scotland, and in an overwhelming, gigantic, absorbing proportion from the vast number of seats which are filled by English Representatives. I do not see the expediency or advantage of prolonging the controversy. Undoubtedly, I am sorry to say, though I hope I have argued this question in a manner which cannot at any rate give offence to those who differ from me—undoubtedly these religious, or rather semi-religious, or mixed controversies, upon the question of establishment and disestablishment, when they become serious, are not good for the temper and social condition of the country and people, who have never quarrelled about anything else. A people kindly, genial, and loyal as the Welsh people are, might perhaps have their tempers sharpened and exasperated on these ecclesiastical questions. I have said that my hon. Friend was, in my opinion, quite right in saying that the sentiment of nationality was strong and inextinguishable in Wales; and I think he was also right in the deliberate persuasion and conviction which he then expressed, that this feeling of the people of Wales could not long continue without having its due and just effect within these walls; and the people of England, who are eminently a just people, will give, and will insist on giving, to Wales in respect of her reasonable demands the same just, considerate, equitable, and conclusive settlement which, in the like circumstances, I believe they would claim for themselves.

*(7.8.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I cannot deny that the manner in which the right hon. Gentleman replied to his own former utterances has entirely disarmed controversy and anticipated criticism. I observed that the earlier part of the right hon. Gentleman's speech was delivered in a very chilling silence on his own side of the House, and those hon. Members who cheered the latter part of the right hon. Gentleman's speech should be reminded that, just as there was a loophole in that very positive statement of 1870, which announced the practical impossibility of separating the Church in Wales from the Church in England, so there is to-day a loophole in what the right hon. Gentleman has just stated. The right hon. Gentleman was careful to observe, in speaking of the numerical preponderance and social distribution of the Nonconformists and Churchmen of Wales, that there again was that element of exaggeration which may thereafter be used against those who support the right hon. Gentleman in this Debate, and who have seemed so delighted to hear his concluding statement. The first part of the right hon. Gentleman's speech commends itself very much to those who sit on the Ministerial side of the House. I do not wonder at the something like dismay which fell upon hon. Gentlemen opposite when the great prophet whom they brought to bless turned and cursed them, and demolished their ancient history so completely. The right hon. Gentleman has made the task of the opponents of the Motion easier and much more simple; and I am very glad, so far as the earlier part of the right hon. Gentleman's speech is concerned, to range myself under the right hon. Gentleman's banner, although I shall not find myself accompanying the person of the right hon. Gentleman into the lobby. But, after all, the right hon. Gentleman's only countervailing argument appeared to be based on one premiss—the national feeling of Wales. The right hon. Gentleman laid enormous stress upon that national feeling, and called upon the House to follow the lead of that national feeling, although I think it has at least taken that period of nonage to which the right hon. Gentleman referred—20 or 21 years—for the right hon. Gentleman himself to arrive at that state of mind. But what is this so-called national feeling in Wales? The hon. Member for the Rhondda Valley is an exponent of the national feeling of Wales—I might almost say that, as far as the House is concerned, it is comprised within the limits of his person. I venture to say there is nothing in the history of the Welsh people which entitles them to attribute the word "national" to those feelings, which are racial perhaps and characteristic, but are not national. The people may swear by the soil, their language may be couched in the vernacular, but that is not a national feeling, because there is no such thing as a Welsh nation. [*Opposition laughter.*] Hon. Gentlemen who dispute that should apply to their Leader for information on the secular history of their country. Anciently there were three Principalities within the limits of what is now called the Principality of Wales—the Principality which owes its origin and establishment to the fact that Wales passed under the English sceptre. Therefore, I contend that to call the Welsh people a nation is grossly to exaggerate and wholly to misrepresent the facts of the case. I am not going to question the claim of the Welsh to call themselves a people or a race. They are a very interesting race [Mr. W. ABRAHAM: Nation], and they are a very peculiar people. They have their own traditions and their own prejudices, and there is much in both their traditions and their prejudices which specifically claim the interest of those who like to follow the folk-lore of small and obscure populations. I admit that, as a matter of archæological interest, these peculiarities of the Welsh people are deserving of the attention, and entitled, at least, to the consideration of antiquaries and historians, while to those who live among them they are a never-failing subject of sympathy and interest, and they also bring to Wales a great number of

Englishmen who take an interest in the country on account of these peculiarties. But when dealing with a political question, is this House to be governed by vague sentiment of this description? Wales is part of England, and the question of the Church in Wales is the question of the Church of England. The right hon. Gentleman forgets, when he talks of the familiar material of the opposition which will be arrayed against this proposal, that this question is not exclusively a Welsh one. Primarily it may be a Welsh question, but it is one which concerns the whole of this realm of England, and in which every Englishman is entitled to have his voice. When we go into the lobby we shall be dealing with a matter which most nearly and closely affects the existence of our own Church; we know that this attack, which at the present moment is limited to the Welsh outwork, is one which is intended to be followed by one on the whole citadel. Therefore, we are not going to be beguiled by the voice of any Welsh siren to surrender a post, by the surrender of which we shall be abandoning the main principle upon which we rest our case. We are not prepared on this occasion, or I hope for many years to come, to accept the proposition, that because a small population in one corner of the country takes—or thinks that it takes—a dislike to any institution common to the realm at large, we are to go on with a series of fragmentary and sporadic acts of legislation until we have frittered away all the oneness of this realm of England. The right hon. Gentleman, however, did not entirely rest his case on the question of national feeling, but he drew a parallel with the case of Scotland. But, for my own part, I failed to see the value of that comparison. We know that the history of Wales and of Scotland is entirely different. We know that while Scotland once had an independent existence, Wales had not. Scotland is an ancient kingdom, which came into partnership with us through the person of one of our Sovereigns; it has its ancient laws and customs, and it had its Parliament. There is, therefore, no analogy between the two. But I think that a fairer parallel to draw would be between the Church in the Highlands and in the Lowlands of Scotland. In the one region you have the aboriginal inhabitants who have retired with their ancient language into the remoter mountains; in the other the Saxon invader, who settled down with civilisation on the more accessible country. That would be a much fairer analogy to draw, and I do not think that even the centrifugal instincts of the right hon. Gentleman the Member for Newcastle had made out a scheme which would enable the Church of Scotland to be dealt with by separate legislation for the Highlands and for the Lowlands. The right hon. Gentleman the Member for Mid Lothian also referred briefly to the question of numerical preponderance and distribution. He has done such full justice to the position of the Church in Wales that, for my own part, I would rather amplify the arguments of the right hon. Gentleman than deal with them in a hostile spirit. When we are told that the Church in Wales is ceasing to be a living body, and has been merely galvanised into existence by the cry of disestablishment, I think that it is well to bear in mind that Church revival in Wales has not at all commenced with the recent agitation against it. A late Bishop of St. Asaph (Dr. Short), when he came into the diocese in 1850, was able to point to the period of 40 years before that as one of continued activity, and that activity has since gone on in an increasing ratio. In the period of 40 years before 1850 19 new churches had been built, 10 rebuilt, and 71 schools and 60 parsonages erected. I believe these figures compared favourably with those relating to any other diocese throughout the length and breadth of England. In the 40 years which ended in 1890 the figures were—new churches 57, rebuilt and restored 127, schools 150, and parsonages 138; £108,755 having been expended on the building of schools, and £132,857 on parsonages, by Churchmen in the diocese. I wish the House to see that the Nonconformists of Wales—to whose religious zeal I always pay the utmost respect—have not a monopoly of voluntary contribution, but that the Church is as capable of making sacrifices. The diocese of St. Asaph contains 208 parishes, with a population of 268,901. The Church expenditure upon all Church objects in the dioceses during the last 40 years has been £899,298, the annual expenditure at the present time upon Church expenses, school maintenance, and societies is £27,889; and on Church buildings £20,000; that is to say, that the Church is spending on purely diocesan objects about £50,000 a year out of the pockets of the laity. In 1870, when Mr. Forster's Education Act was passed, the daily attendance in national schools was 11,663; in Sunday schools 15,008; while in 1890 the figures were—in national schools 19,445, and in Sunday schools 20,604. And this increase in the attendance at the Church schools has arisen in spite of the innumerable Board schools put up all over the country. In the ten years from 1860 to 1870 the number of persons confirmed was 12,000; between 1880 and 1890, 15,000; and between 1880 and 1890 nearly 20,000; while between 1870 and 1890 the number of communicants had just doubled. With regard to the Church services, in 1890 the number of English services was 394, and of Welsh 264; the numbers in 1870 being 240 and 219 respectively. A very interesting test on Nonconformist feeling in Wales is supplied by the celebrated Burials Act, in connection with which my right hon. Friend opposite (Mr. G. O. Morgan) expects to attain immortality. In 1885 the burials under the Act were 247; in 1886, 216; in 1887, 271; in 1888, 245; and in 1889, 251, while the Church burials for the year 1889 numbered 3,618. I find that during the last five years out of 208 parishes in this diocese there were 94 where there was not a single burial under the right hon. Gentleman's Act, 30 where there was only one, and 18 in which there were only two. There is another very important point to be considered, and that is how far Nonconformity supplies sufficient ministration for the wants of the people, if that supplied by the Church is to be withdrawn. I find that in 1886 there were 280 Nonconformist ministers resident in the diocese, while in 1890 their number had declined to 256. At the same time, it must be borne in mind that the number of Church services has increased from 450 to 600.

MR. S. T. EVANS (Glamorgan, Mid.): The right hon. Gentleman does not give us the authority for the figures.

*MR. RAIKES: I get them from a source which is accessible to all hon. Members, namely, the Charge delivered last year by the Bishop of St. Asaph. There is another point connected with Nonconformist ministration which is extremely important, and that is that in 1886 there were 83 of these 208 parishes without a resident Nonconformist minister, and in 1890 there were 90 in the same condition. If Nonconformity is to take up all the ground and supersede the Church, why, here are nearly half the parishes in a diocese which have not got any Nonconformist shepherd to lead the flock, yet in every one of them the Church has provided ministration for the poor. Does not the hon. Member see that he is paying a compliment to the provision made by the Church when he complains of the number of churches with small congregations? If the hon. Member had endeavoured to make out a case by showing that there were large parishes where no ministration was provided by the Church, then he would have had something to go upon; but when he complains that the Church supplied a superfluity of ministration then he showed no case at all. This question has come to be treated as if it were a purely Welsh question. I venture to point out that there are English people in Wales as well as Welsh, and they have some claim to the provision of religious ministration in the way in which they can appreciate it. I think the House will be surprised when I say that in the same diocese there are 52 parishes in which the Welsh language is not spoken, and the number of monoglot Welshmen only amount to 35 per cent. of the population of the diocese. These are facts which also have to be taken into consideration when this matter is dealt with. As to the assertion that the English Church in Wales is an alien Church, I think the right hon. Gentleman the Member for Mid Lothian has finally disposed of that preposterous proposition. The right hon. Gentleman has justly called attention to the fact that in the later part of the 17th century there was probably no part of Her Majesty's dominions in which the population was more universally attached to the Church than in Wales. Then when did the Church become an alien Church? That recondite historian, the hon. Member for Merthyr Tydvil, told us the ancient Church was superseded sometime in the 7th century. He does not seem to realise an unbroken continuance of the ministrations of the Church, that Church which brought out the Welsh Bible, and introduced the Welsh language into the services of the Church. There never was, among all the baseless inventions by which it is sought to bolster up this fictitious agitation, one more entirely without justification or foundation than that which alleges that the Church in Wales is an alien Church. I have to thank the House for having listened so considerately to a speech which in its main features has been controversial; but I am quite sure that, whatever may be the present attitude of hon. Gentleman opposite with regard to this question, if they think they are going to improve the position of this country or of their own Party by pandering to this pseudo-national chimera, which is constantly being put forward as a stalking-horse for electioneering purposes, they will find they have created for themselves a new difficulty nearer home than Ireland, which will again perplex and hamper their legislative efforts if they ever again have a majority in this House. As we are told that the first result of their return is to be a Parliament in which Ireland stops the way, so probably their next Parliament will be one in which Wales stops the way; and when we have come to the separation of Wales on the same lines as the separation of Ireland is now proposed, the country will again have legislation proposed, not on grounds of principle, not with any regard to constitutional principle or national unity, but based upon the narrower and baser foundation of sectional hatred and local jealousy—a policy which will well deserve the ruin it will bring upon those who make themselves responsible for it.

*(7.40.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): If the right hon. Gentleman has ever a reasonable case to present to the House, he never fails to present it in a vigorous and effective manner. I do not think, however, I ever listened to a weaker or a more ineffective speech from him, than the one he has just made, a fact which I cannot believe is attributable not to him, but to the weakness of his case. The right hon. Gentleman commenced by denying the principle of nationality in regard to Wales. He said Wales is not a nation; and the way in which he attempted to make out that proposition was certainly very novel. He said that before Wales was conquered by England instead of being one Principality it was three. If the right hon. Gentleman's reasoning is correct I do not suppose there is a single nation on the face of the globe. England, France, or Germany are not nations, for they were all subdivided in ancient times. It is not necessary for me to go into any finely-drawn argument on the point, for no two persons can ever agree as to what constitutes a nation. The common sense of people, however, enables them to understand pretty clearly the meaning of many things that cannot be scientifically defined. The right hon. Gentleman went very considerably, and, I think, very properly, into statistics. It is the matter of numbers which differentiates the case of Wales from that of England. I admit that a large number of the strongest arguments in favour of disestablishment in Wales is also applicable to the maintenance of any State Church in any country; but I say, we are entitled to claim, as supporters of this Motion, persons who are supporters of the principle of Church Establishment. I do not suppose that any supporter of that principle will maintain that it ought to be applied where the Church Establishment ministers only to a small minority of the people. It will surely be conceded that, in order to make the Establishment in any degree defensible, it should be national in reality as well as in name—that it should secure the support of the bulk of the nation. The supporters of the Welsh Establishment are very far from claiming that the Church in Wales commands anything like a majority of the people. In fact they all admit that it is in a minority. As the late Dean of Bangor said, the Church have "lost five-sixths of the Welsh people." The Church defenders have of late attempted to make out that they are entitled to a larger proportion; but no person who, having intimate knowledge of Wales, would venture to assert that there are more than a-sixth or probably more than a-tenth of the people of

Wales who are staunch adherents of the Church Establishment. The statistics quoted by the right hon. Gentleman opposite were chiefly statistics of money spent and buildings erected. I am quite willing to admit that the Church in Wales, as measured from that standpoint, has made immense progress in the last 15 years. But that is no proof whatever of the progress of the Church in the affections of the people at large. We admit that nearly all the rich people in Wales and nearly all the landowners are Churchmen. The right hon. Gentleman's statistics prove merely that the rich people have freely spent their treasures in the last 20 years in building churches. The Nonconformists have also built, and I venture to say they have spent a great deal more than the Church of England people have during the last 40 years. In the previous Debates on this subject it was made a taunt against us that we had over-built chapels, and we were told we had built three or four where only one was necessary. Hon. Gentlemen who oppose us on this question ought to have some sort of consistency in the arguments they use. They say we are unable without the assistance of the Church to supply the religious wants of the people, and then they contend that we over-supply the requirements. It is necessary for them to agree among themselves, and say on which of these contentions they are going to rely. It is certain that if we have erred at all it has not been in under-supplying the religious wants of the Welsh people. There is not a district in which we have not fully and adequately supplied those wants. The right hon. Gentleman opposite made a great point of the fact that there were numbers of parishes in which there were no Nonconformist ministers. The right hon. Gentleman's arguments on that point serve to show his ignorance of Wales. He evidently is not aware of the fact that one of the largest Nonconformist bodies of Wales has no settled pastorate, and that a large number of chapels are served by itinerant ministers. It is true that in a few large towns the system of the settled pastorate is now obtaining among the Calvinistic Methodist body, but to argue that, because that system does not obtain everywhere, Nonconformity is declining is absurd, because it is under the system of itinerant ministry that the whole of Wales has become Nonconformist. The success of the Calvinistic Methodists in Wales is entirely to be attributed to the itinerant ministry. The right hon. Gentleman also referred to the number of burials in churchyards as a proof that Nonconformist feeling is not increasing in Wales. That was a very unfortunate test to apply, because we know that in consequence of the way in which clerical rights are abused in Wales the Bill of my right hon. Friend (Mr. Osborne Morgan) has almost become a dead letter, or, at all events, that it is only very partially resorted to. Throughout central Wales a great dispute is now raging in relation to a scandal that has recently taken place at Barmouth on this very question. We all know that the right of selecting the burial ground, according to the law, rests with the clergyman of the parish. In England, and also in Wales provided the fees are freely paid, the clergyman always considers the feelings of the family when he makes the selection. In the Barmouth case a widow prepared a grave in which she buried her deceased husband. She expressed her desire to be buried in the same grave, and when her son died had him buried in an adjoining grave in order that she might reserve her husband's grave for herself. The lady died a few weeks ago. She had expressed to her executors her desire to take advantage of the Burials Act to have the Nonconformist burial service read to her, and the executors informed the rector of their intention to carry out her wish. He immediately asked: "Are you going to pay my fees?" The House knows that there is no such thing as a legal burial fee in Wales. No burial fee can be claimed anywhere unless it has been customarily paid from the time of Richard I. In Wales the practice until 20 years ago has invariably been to pay no fee, but the persons attending the funeral contribute something in the form of a voluntary collection. An illegal attempt is now made by the clergymen to exact a fixed fee from everybody who takes advantage of the Burials Act. Because the executors of this deceased lady refused to pay this illegal fee, and insisted on having a Nonconformist service, the clergyman abused his right of selecting the site of the grave. He said: "Very well, then, I will not let you bury this widow in the grave of her husband." The executors were forced to submit to this. There is another reason why the Burials Act is not resorted to. We know that the parishioners have the right of burial. If a person has lived outside the parish and wishes to be buried in ground where, perhaps, his fathers have been buried before him, and his executors express a desire that the Nonconformist burial service should be used, they are instantly met by the clergyman with a declaration that the body shall not be buried there. So much annoyance is caused by the hostility of the Church of England clergy to the Burials Act that the people have almost generally, to avoid scandal, abandoned the right of having the Burial Service read by their own ministers. When a member of a family has just died his relatives are in no mood for squabbling, and say: "Let us have no bother; let the clergyman read the service." Reference has also been made to the question of Confirmation. To get a large number of persons confirmed is a very important thing in the eyes of every clergyman. As a rule he canvasses as thoroughly as he can, with the object of getting as many as possible presented to the Bishop for Confirmation, and a large number are presented who have not been in the habit of attending the church, and who never go afterwards. I was told by a Nonconformist minister that children who were members of the Nonconformist congregation in his own parish were induced by the express desire of the clergyman to go to the church and be confirmed by the Bishop, although they never afterwards frequented the Church, but remained members of the denomination to which their parents belonged. The fact is that the hold of the Church in Wales, as far as it has any hold whatever, is almost entirely confined to the English-speaking people. I ought to mention that there is one class of the Welsh working men among whom you may expect to find some support of the Church, and that is the publican class. Outside the publicans and their customers there are scarcely any of the working men of Wales who belong to the Church. Within the last few years a very strenuous attempt has been made to increase the number of the working class adherents of the Church, but the amount of the increase has been very slight and gives no occasion for boasting on the part of the Church. All the territorial magnates and a large number of the employers of labour are Churchmen. Ever since the disestablishment of the Irish Church in 1868 a great panic has fallen on the clergy of the Church of Wales. They seemed to feel that unless they reformed and increased their numbers the fate which had befallen the Irish Church would befall them, and the most strenuous attempt has been made to get people to come into the Church. When you consider that all the influence of the territorial magnates has to a great extent been placed at the service of the clergy, you will fully understand that it is of immense advantage to a working man to leave the chapel and become a Churchman, as far as his material interests are concerned. It is not surprising, therefore, that some few have been found who have abandoned their own religion and gone over to the Church. Some English people are thoughtlessly disposed to assume that all Welsh people are religious. That, of course, is an absurdity. Such a thing cannot be said of any people in the world. There are a large number of people in Wales who attend no place of worship, and there are others who care more for their own advancement than anything else. It is not surprising, therefore, when the influences of which I have spoken are at work, that some slight increase should have taken place in the number of churchmen. Supposing all the landowners and all the large employers of labour in England were Roman Catholics, and it would be of great advantage to a man who wanted to obtain an allotment, or a farm, or a tenement, or obtain employment in a quarry, to be a Roman Catholic, what would you expect to find? Surely you would expect that a large number of unprincipled people who care not a straw about any religion in the world would become Roman Catholics. They would become Mahomedans or Buddists or anything else under similar circumstances. Those who have turned away from Nonconformity in Wales are a miserable minority, but most of them have been induced to do so by these influences. This is one of our strongest complaints about the present efforts of the Church in Wales. So far as those who profess Church principles devote their efforts to the spread of Christianity, we say, God bless their work, but when they attempt to demoralise the people by bribery of this kind, we are compelled to enter our protest against it. I will repeat a fact which was told to me not long ago by a minister of the denomination to which I belong, who laboured in a district strongly subject to the influences to which I refer. He said very few had gone over from his chapel, and those who had done so belonged almost exclusively to the class I have referred to. There was, however, he said, one man whom he had been very sorry to lose. He was a man who had a good reputation among his fellows. He was a member in full communion, a teacher in the Sunday school, and was regarded as a person of good and solid character. That man went over to the Church, but did not receive any reward for his apostacy, and the consequence was that he ceased to attend any place of worship. The clergyman of the parish called on the man's wife, who had stuck to the chapel, and asked her why she did not go to church, saying: "Your husband comes sometimes, but I never see you." She replied: "I know he goes sometimes, and it was an evil day for us when he left the chapel. When he was a member at the chapel he always spent his evenings at home, but now he spends them in the public-house, and I bid my boys to be warned by their father's example against leaving the religion they were brought up in." Now, I do not say that because a man goes to church he takes to drinking, but I say that this man by his conduct lost the respect of his neighbours and that he lost his own self-respect also, and then, becoming reckless, took to drink. This attempt to win over the Welsh people to the Church by bribery and by appeals to sordid motives is an evil that is much felt. We do not so much mind the loss of individuals because, after all, it is a mere handful that goes over, but we do protest against the demoralising effect it produces. I would ask the House to bear with me while I give some statistics on another point. Hon. Members are aware that Welsh people have very largely migrated from Wales to the large towns of England. Liverpool has often been called "the metropolis of North Wales," from the large number of Welshmen who are congregated there. If the Church in Wales were so strong as to number among its adherents two-thirds or three-fifths of the Welsh people you would find the same proportions among the Liverpool Welsh. But you find, as a matter of fact, that whilst there are 45 Nonconformist Welsh chapels in that city, there are only 4 Welsh churches. The total number of communicants in Nonconformist Welsh chapels of Liverpool and district is 10,331, and the total number of communicants in the Welsh Episcopalian churches is only 455, or only 4½ per cent. of the whole. What is the reason for this? The reason is that in Liverpool the Welsh people are totally free from territorial and squirearchical influences. The Welshman in Liverpool is not likely to get a bargain or a place because he is an Episcopalian, and, therefore, he goes to the place of worship he really prefers. If you take the other large towns in England the same state of things is found to exist, although not to the same extent. In London, Manchester, and Chester similar circumstances are found. There are no less than 34 English towns and industrial villages outside these places in which there are Welsh Nonconformist chapels. They include Birmingham, Bristol, Wolverhampton, Ashton-under-Lyne, Rochdale, Stockport, Barrow-in-Furness, Dalton, Wigan, Spennymoor, and Warrington. These chapels have been built by Welsh immigrants out of their own pockets. In not one of these towns is there a single Welsh Episcopalian Church. The reason is that there are no Episcopalians among the Welsh people who go there, and there are no landed gentry to build churches. A further illustration of the same state of things is to be found in America. Everybody who knows anything of Wales knows that there has been a vast emigration from Wales to America. In the United States the Welsh Congregational Body, which is one of the four large Nonconformist Bodies of Wales, has 215 chapels, whilst the Baptists have 64 chapels, and the Calvinistic Methodists 190. There are spread over the United States 469 Welsh Nonconformist chapels. How many Welsh churches are there? There is not one throughout the length and breadth of the United States. There are altogether 26,000 adherents of the Welsh Calvinistic Methodist Body alone in the United States and they subscribe from £15,000 to £16,000 a year. In Australia there are four Welsh Nonconformist chapels and not a single church. I do not say that the proportion of Churchmen to Nonconformists in Wales is analogous to the proportion I have referred to as existing outside Wales, and for this reason: that when the English-speaking people of Wales emigrate to England, they, of course, go to the English churches. But this is a further proof of the point I am endeavouring to make, namely, that the Church community in Wales is confined to the English - speaking portion of the community, and that if you go away from the English-speaking people in Wales you find the Church *non est.* We are often told that we are trying to make political capital out of this question. If anyone has to gain by disestablishment in Wales, however, it is not the Liberals or the Nonconformists. If anyone will gain it will be the Conservatives. Formerly the Parliamentary representation of Wales was confined to the Welsh territorial magnates, who are all Conservatives. Now the Welsh Members consist of anybody but the large land-owning class—London barristers, English merchants, solicitors, traders, and, in fact, anybody and everybody but the landowners. The reason is that the old landed aristocracy of Wales have allied themselves with the Church Establishment, and have tried to cram it down the throats of the people. Anybody who is acquainted with Wales knows that the Welsh are an eminently Conservative people. What is it that makes a man a Conservative rather than a Liberal? As a rule, you find that men of a timid and cautious temperament become Conservatives, and men of a bold and sanguine temperament Liberals. But among the Welsh Nonconformists you find the timid and cautious men are as great radicals as the bold and sanguine, simply because of the Church Establishment. You will never find a Welsh Nonconformist who is a Conservative unless he is the tenant of some big landlord, nor will you find a Churchman who is a Liberal. The movement in favour of Church Disestablishment has in no class in Wales made greater progress than among the landowners. Silently and secretly a very great change of feeling has been coming over the landlords of Wales. They have seen that Disestablishment is inevitable, and they are coming to believe that it is desirable. They have seen that they will never have the least chance of recovering their hold upon the people of Wales until the Church is disestablished. This has been brought very vividly to their minds by the County Council elections which took place in Wales a little over two years ago. At those elections the ancient gentry were almost universally defeated. A few of them were returned for the wards and districts in which they live, but the immense majority found that they had no chance against the Nonconformists. This is all due to the same cause, and, though the aristocracy of Wales are as strong and zealous Churchmen as ever they were, their belief in the desirability of maintaining the Church as a State Establishment is fast diminishing. No doubt hon. Members will say I am proving too much, and will ask why I go in for disestablishment if it will be of advantage to the Conservative Party. I go in for it because the people of Wales wish for peace. At present there is nothing but discord, and there will be nothing but discord so long as this Church Establishment exists. I have shewn the bitterness that is caused by the way in which the territorial influence of the aristocracy has been unsparingly used in favour of the Church, and I will now conclude by saying that this religious question should be set at rest, so that all religious denominations in Wales may have liberty and freedom to devote themselves to the work of spiritual regeneration, instead of quarrelling and bickering amongst themselves. (8.31.)

(9.0.) SIR J. BAILEY (Hereford): When, at the commencement of this Debate, the right hon. Gentleman the Member for Mid Lothian communicated with me and expressed a desire to follow his two supporters who had moved and seconded this Resolution, I felt certain that I was only doing what the House of Commons would have desired me to do in giving way to the right hon. Gentleman, although it is extremely unusual for the leader of a Party to follow the Proposer and Seconder of a Resolution hostile to the other side of the House without any intervening argument having been heard from those who say they object to that Resolution. Nevertheless, when I listened to the speech of the right hon. Gentleman I felt that I could not regret the course I had taken, because, in the first place, it afforded me the greatest pleasure to hear the manner in which he corrected the numerous mistakes in Welsh history that had been made by the Proposer of the Motion, and because, also, the speech of the right hon. Gentleman seemed to me to raise the tone of this Debate from one of strong vituperation and personal attack upon Members on this side of the House, which, to say the least of it, is a tone most undesirable in the conduct of Parliamentary proceedings. Moreover, I could not but recollect that I had heard a magnificent speech from the right hon. Gentleman on the same subject 20 years ago—at a time when he was not an irresponsible Member of the House of Commons, but was leader of the House and Prime Minister to Her Majesty the Queen. That speech was on exactly the same lines as the one he has delivered to-night, with one exception, which the right hon. Gentleman designates as "sufficient electoral support." When he came to the conclusion of his speech we had one more instance of the marvellous facility with which the right hon. Gentleman adapts his opinions to the altered circumstances of the day. I cannot refrain from reading to the House the concluding words of the speech delivered on that occasion. He was alluding to the Church of Wales, having touched on his connection with the Church of England, and he said—

> "I know the difficulties, and I am not prepared in any shape or form to encourage, by dealing with my hon. and learned Friend's Motion in any way except the simple mode of negative, the creation of expectations which it would be most guilty, most unworthy, most dishonourable on our part to entertain lest he should convey a virtual pledge. We cannot go in that direction. We do not intend to do so. We deprecate it, and we should regard it as a national mischief."

That, Sir, is the conclusion to which the same set of facts as those with which we now have to deal brought the right hon. Gentleman 20 years ago. Now, Sir, one fact which seemed to influence the right hon. Gentleman's mind was that which he called "sufficient electoral support." He alluded to the small number of Welsh Members who sat on this side of the House and to the much greater number which sits on the other side. Now, I have two remarks to make on this: the first is, that the question of disestablishment was not before the Welsh people at that time. If you were to take the numbers of the Welsh people and the numbers of their Representatives in this House, and use the figures as conclusive argument that the Welsh people desire disestablishment, you must first be clear that they knew at the time of the election that the effect of their votes would be to bring about the disestablishment of the Church in Wales; and if that has not been the case you ought, at all events, not to judge the feelings of the people by the number of Representatives they return to this House, but rather by the number of voters who have voted for those Representatives. Now, what is the fact as to the number of Welsh Representatives? I give hon. Members opposite the full benefit of the fact that at the last General Election there were four constituencies uncontested; but as to the others, the number of electors who voted were 60,000 or thereabouts on the one side and 90,000 or thereabouts on the other side, or in the proportion of 3 to 2. The fact that there are only three Conservatives under such circumstances is one of the curious proofs which are sometimes given that the electoral system of this country may be very unfair to large minorities of the people. If the question of Welsh disestablishment had been clearly and distinctly before the people of Wales at the last election, I believe that two-fifths to three-fifths would have changed from one side to the other, for the Church has yet some hold on the affections of a large portion of the people. Now, Sir, I would remind the House of one other point which the right hon. Gentleman dealt with. He scattered to the winds the argument raised by the Mover of this Resolution—an argument which has so often been put before the House—that the Welsh Church is an alien Church and not the Church of the nation. What are the facts? The Welsh Bishoprics were founded before the English Bishoprics, Those who have any real knowledge of the Principality are aware that the names of the parishes follow the names of Welsh saints whom no Englishman, unless he has lived in Wales, knows anything about. The hon. Gentleman who moved the Resolution dealt with the question of the Reformation, when, in his judgment, the old Welsh Church died, and something else was put in its place. I must say I do not think it lies with hon. Gentlemen opposite, who are nothing if they are not Protestants, not to give their entire approval to the doctrines of the Church as established at the Reformation. But I may put the point in a different form. My hon. Friend the Member for Swansea (Mr. Dillwyn) spoke of the Welsh endowments being taken to supply the wants of the English Church. Doubtless, at the time of the Reformation Wales was dealt with differently from England, and the Ecclesiastical Commissioners take credit to themselves for using the funds of the disestablished Welsh religious houses for ecclesiastical purposes; but the Commissioners did not use those funds for ecclesiastical purposes connected with Wales, but in order to enrich the English ecclesiastics who had nothing to do with Wales. I am well aware that at the present time the action of the Ecclesiastical Commissioners, in supplying the religious wants of large populations, especially in Wales, has given the Principality a larger sum than was formerly administered; but, at the same time, the loss incurred by the Welsh Church in the time of the Reformation accounts for the poverty of that Church during the last century. Then I come to the Act for the Better Propagation of the Gospel in Wales. In 1650 the idea of the better propagation of the Gospel in Wales was demonstrated by the ejectment of "200 malignant clergymen from the Principality," their places being supplied by "Godly and faithful men." These men may have been Godly, and they were probably faithful, but their literate capacity was very doubtful. The Church of Wales was unfortunately compelled to undergo for a few years the infliction of these faithful men, and this, coupled with the state of poverty to which the Church had been reduced, was doubtless the main cause of the trouble that came upon it. I do not know whether hon. Members fully realise the poverty of the Church during this period. In the Diocese of St. David's, in the year 1720, there were 37 livings under £50, 42 under £40, 60 under £30, 29 under £20, 39 under £15, 57 under £10, and 29 under £5 a year.

MR. ILLINGWORTH (Bradford, W.): Will the hon. Member give the other extremes?

SIR J. BAILEY: I am afraid I have not the figures showing the other extremes; but I have heard it said by an hon. Member, in a former speech, that he attributed much of the evils in Wales to the anti-national policy of that time. I do not want to deny that anti-national policy, but I do say that a great many of the evils which have arisen are referable to the poverty of the Church as well as to any anti-national policy that may have been pursued by the English statesmen of that day. The hon. Member has asked me to state what are the other extremes. I have told him I cannot do that, but I repeat that the Welsh Bishoprics at that time were so impoverished that a great deal of what has happened is attributable to that circumstance. It is this poverty which has been used as a justification for the pluralities existing in Wales, owing to the extreme poverty of the Church it was absolutely impossible for a clergyman to accept a Welsh Bishopric, unless in this way he had the means of maintaining the position. If, then, the Church was as poor as I have described it, how can you expect it to be able to meet a sudden emergency, such as has arisen from the enormous increase which has taken place in the Welsh population? It has also had to meet the bi-lingual difficulty, which is evidenced by the fact that, while 20 per cent. of the population speak Welsh only, 34 per cent. speak English only, and 46 per cent. speak both English and Welsh. It is when the Church is surrounded by all these difficulties that there suddenly comes upon the Church the vast increase of population I have alluded to. The population, partly from natural increase, but largely from immigration, has increased from 500,000 to 1,500,000. Railways have sprung up, the iron trade of the Principality has risen to great prosperity, and a Church has had to meet an increased growth among its people of from 50,000 to 150,000. Now, Sir, in comparison the present position of the Church in Wales with the ancient character of that institution, it must be borne in mind that for 14 centuries the Church was absolutely the Church of the people. It has been described by the Mover of the Resolution as having at the end of the 17th century comprised 96 per cent. of the people. They were then most ardent Churchmen, and until this century was somewhat far advanced. I do not believe Nonconformity had obtained anything like a strong hold upon the Principality. The father of dissent in Wales was a Magistrate of the district, and on his tombstone, which is in the parish church in which I live, his epitaph says: "He remained a faithful member of the Church of England until his death." I think that if that gentleman had known what his action was going to bring the Established Church to in his neighbourhood he would have re-considered it; at any rate, he must have thought he was taking upon himself a great responsibility, but he cannot be described, as the hon. Member opposite has described some Nonconformist ministers who have joined the Church in the present day, as a weak-kneed mediocrity. His death took place in 1811, and since that time the Nonconformists have had ministers of their own preaching the Gospel to the people. It was my privilege to know one who was considered to be the leader of the Nonconformist and Liberal Party in the county in which I live as well as the neighbouring Counties of Carmarthen and Radnor. He was the strongest speaker in that part of the Principality on the side represented by hon. Members opposite at the time of his death. He was buried according to the rites of the Church of England, and I was given to understand, and I believe it to be an undoubted fact, that it was by his special desire that his funeral was conducted in that way. That man, whose name I believe is well known to some hon. Members, though I will not mention it now, was a straight and honest man and a most sincere Nonconformist. While the Welsh people like the simplicity of the services in their various chapels, while they have an honest love for their chapels, yet I believe that in their inmost heart, and I speak not merely of the ministers but of the congregation, there is a strong—stronger than is thought—regard for the Established Church in Wales. Now, Sir, reference is often made to the number of Nonconformist chapels in Wales, but, if the House will permit me to say so, I regard that as a sign not of strength, but of weakness. Up to the middle of the 18th century every one knows that the Church was predominant in Wales. As a matter of fact, in 1742 there were 105 chapels and 769 churches; in 1851, 2,826 chapels and 1,180 churches; and in 1884, 4,200 chapels. In 1851 Nonconformity seated 58 per cent. of the population. What is the cause of this increase, then? The large number of Nonconformist chapels is caused by the splits among the congregations. Troubles occur, and part of the congregation build a new chapel—a circumstance which indicates, as I put it, weakness rather than strength. I have here a letter from one who is connected with a Nonconformist place of worship, and he writes: "There is a debt on the chapel of £760; we are only a few poor work people." This chapel is in a large and thriving centre, and no doubt there are well attended chapels all around it, and, while I sympathise with the people, still I think it an exceedingly imprudent thing on their part to burden themselves with another chapel when they had already plenty, thus creating that great source of trouble to Nonconformists—the chapel debt. My hon. Friend alluded to the number of Church burials—something like 20,000 Church burials and 1,400 under the Act of my right hon. Friend (Mr. G. Osborne Morgan). The hon. Member who spoke last said on one notable occasion a clergyman had been found to do an injustice to his parishioners by refusing to bury in a grave which had been bought by a man for himself and wife. If these facts can be proved that clergyman would get no more sympathy from me than from the hon. Member. Still, such a circumstance is a reason, possibly, for re-considering the Act of the right hon. Gentleman, and, going further, but not for disestablishing the Church. I propose now to give some figures respecting the diocese of St. David's. The number of confirmations in 1886 was 2,533; in 1887, 3,004; in 1889, 3,206—in ten years, 26,041; a number greater than is recorded in most English dioceses. An hon. Member opposite says that the number is due to pressure brought to bear upon the people by the clergy, and that afterwards the communicants go back to Nonconformity. Such a statement is a libel on Welsh Nonconformity, and public opinion would not allow Welsh Nonconformists to at once desecrate their own form of religion and that of the Established Church. In St. David's, between 1879 and 1888, 25 churches have been built or restored—a number not reached by 25 other dioceses, while only seven have exceeded it. In Llandaff, in the same period, 42 churches have been built or restored—a number not reached by 27 other dioceses. The exact number of Church attendants cannot be got at with the facility which exists in the case of Nonconformists who erect their chapels in centres where they think there is need for them, whereas the Church goes to the thinly as well as the thickly-populated districts, and establishes its church for the ministration of the few as well as of the many. In the parish of Merthyr, in 1810, the population was 7,705, and in 1888 it was 58,000. There are 17 clergyman at work there, and since 1877 £41,200 has been spent on Church extension and £12,750 added to the endowment. And now I come to the parish of Rhondda. The hon. Member, when on a former occasion he spoke on this subject, referred to the fact that at one time there were only two churches in the parish. He said that there was an obligation to hand one of these over to the Roman Catholic Body, and that the other had been erected by a wealthy person, who had obtained the money by the sweat of the brow of the colliers of the district. Well, as to the former of the two churches I think it very difficult for the building to have been used for a better purpose than that to which the owner devoted it, pending the time he hoped it would be occupied by his co-religionists, while how could a colliery proprietor better expend his profits than by building a church for his workmen?

MR. ABRAHAM (Glamorgan, Rhondda): What I complained of was that the church was not built for the workmen, nine-tenths of whom were Nonconformists.

SIR J. BAILEY: Well, it is not necessary to enter into that question now. We have been told that the increased Church activity is a fight for tithe. Whereas there were only two churches in Rhondda 20 or 30 years ago there are now 22. In one Church district, where the clergyman's income is £289 a year, he keeps no fewer than seven curates; in other church districts the clergymen get nothing at all for tithe. It has been said that the building of these churches has been a foolish expenditure of rich men's money, but can you imagine anyone being liberal or foolish enough, not merely to build 22 churches, but to enlarge the parish church as well? In nine of these churches Welsh services are given. To say that these churches are filled with the rich and wealthy landlord class, no one knows better than the hon. Member for Rhondda opposite that this is not the case, for the Valley of the Rhondda is certainly not filled with rich people. But this affords a striking instance of what is being done by the Church in large centres of population in Wales. There is one argument further I should like to put before the House. If Wales were separated from England by the sea, as is Ireland, or by an impassable range of mountains, I would leave the argument where it is. But such is not the case. As my right hon. Friend told us, Wales never has been a nation. There were only three occasions on which all Wales was united, and by no possibility can you name a town which could have been the capital of the whole country; and the reason is clear. In the South you have the great Valley of the Severn, connecting the mineral district with Bristol, Gloucester, and other English counties; and the railways, too, which are laid out to suit the requirements of the commercial classes, do not connect the South with the rest of Wales; they connect it with London and Liverpool. On one occasion lately we went so far towards considering

London our capital that we held our national Eisteddfod there. Then we have the Valley of the Usk, connecting Wales with the Great Plain of Monmouthshire; and then the Wye, going into Herefordshire, through the Counties of Brecon and Radnor, the beautiful Valley of Llangollen, and if you disestablished the Welsh Church you would have farmers living next to each other under an entirely different religious policy. This is no mere chimera, and I do not think that any hon. Member opposite has thoroughly considered the vast interference with the Church, apart from the Established Church in Wales, which this Motion contemplates. The County of Monmouth is generally considered to be a county of England. It is part and parcel of a Welsh diocese. Are hon. Members going to break that diocese up? That would be the result of the adoption of this Resolution. You are not going to disestablish the Church merely in the 12 counties of Wales, but in the County of Monmouth as well. If you go a little further, you will find a part of Shropshire is in the diocese of St. Asaph. Are you going to break up that diocese? A part of Radnor and most of Montgomeryshire are in the diocese of Hereford, and a part of Flint is in the diocese of Chester. The Resolution means the disestablishment not only of the Church in Wales, but, to the extent I have mentioned, in England also. Mr. Watkin Williams (afterwards Mr. Justice Watkin Williams), when he brought forward this Motion, said—

> "If you disestablish the Church in Wales, you must on the same ground disestablish it also in Cornwall and Yorkshire. Whenever those places wish to disestablish their Church they shall have my hearty support."

I hope that hon. Members who desire to disestablish the Church will bear that argument in mind. The time may come when Church disestablishment will be the battle cry at some General Election, and it will then be seen how deeply the Church has embedded itself in the hearts of the people. Let us beware of having our fortresses taken in detail. In this question, as in so many others, union is strength. No doubt this Resolution will be brought forward year after year until the majorities may possibly fall off from very weariness. I hope the House will resist the temptation to weariness, and that they will stand shoulder to shoulder to resist a Resolution which is intended to injure, and perhaps destroy, an institution which in England, as in Wales, is the ancient Church of the people.

*(9.50.) MR. STUART RENDEL (Montgomeryshire): We could have desired no one to meet us on this question better than the hon. Baronet the Member for Hereford who has just spoken, for we were well aware we should meet in him a courteous opponent, and that his arguments would be the arguments of a straightforward man. But I hope the hon. Baronet will forgive me if I say I failed to find any new argument in the speech he has just delivered. He has undoubtedly fallen into an error in which the right hon. Gentleman the Postmaster General led the way. I must say I think that after the tribute paid by the right hon. Gentleman the Member for Mid Lothian to the work of the Church of England in Wales it was needless for the Postmaster General to spend so much time in adding his meed of praise. We might have been spared that, and also the praise showered upon it by the hon. Baronet, who is the Lord Lieutenant of a Welsh county, for time is far too precious thus to be expended. The Welsh people have constantly declared that they are not the enemies of the Church; they have no quarrel with the Church, and it is unreasonable year after year, in reply to their case, to bring out that sophistry and that contention. One quarrel is with the establishment in Wales, and I say that that ought to be the quarrel of the Church Party itself, for they have suffered from it more than the Welsh people have. To that position we desire to confine ourselves. The hon. Baronet said he doubted if the disestablishment of the Church had ever been really a test question at any General Election in Wales. He need hardly entertain that doubt, for, with his knowledge of the Principality, he must be aware that it is the special test raised at every election, and if he will stake the issue on that point alone, any single Member for Wales on this side of the House will gladly resign his seat if the hon. Baronet will agree to abide by the result. It must be patent to the whole House that we stand on Disestablishment because we have done so

for the last three General Elections. We know it is the only ground on which we can present ourselves to a Welsh constituency, and to pretend that we are agitators and foment the feeling is unworthy of reasonable discussion in this House. But we are suffering from a severe disappointment this evening. Great as the evening has been on account of the important deliverance of the right hon. Gentleman the Member for Mid Lothian, which will resound from one end of the Principality to the other, and which has at last lifted the question into the highest of all places, has placed it among the foremost to be dealt with, we regret that the Amendment on the Paper was not, as we understood it would be, moved by the hon. Baronet.

SIR J. BAILEY: It was impossible to move it.

*MR. STUART RENDEL: At any rate, it stands here upon the Paper, and in the name of my hon. Friend the Member for Shropshire, who is the official champion of the Church in Wales. It is impossible not to see how far that Amendment departs from the lofty assumption and from the position of superiority hitherto taken up by our opponents in dealing with this question. What are the terms used?—

> "That, inasmuch as the Church derives no portion of its revenues from taxation, and provides, in Wales as well as in England, spiritual ministrations for a larger proportion of the population than any other denomination of Christians, it is unjust, as well as inexpedient, to deprive the Church people of the Principality of the means to support the form of religious worship which they prefer."

The Church by this Amendment drops into the position of a mere denomination. The Amendment practically concedes the point for which Welsh Members have always contended. We protest against its claiming a monopoly — against its claiming the sole right to administer to the spiritual wants of Wales. We say that in Wales the State ought not any longer to sanction and make valid this unjust and unreal pretension. And this Amendment practically abandons it, and treats the Church as one among other denominations. Well, let the State concur and then we shall be satisfied. But the Amendment goes on to plead *ad misericordiam* against any deprivation by the State of its present means of support. No more pitiful appeal was ever put forward on behalf of a great historical body than this one from the wealthy classes in Wales. If the Church cannot live in Wales without State support it ought not to live at all. If there is one thing certain it is that the Welsh people can and will support their own religion. A body which cannot live in Wales without extraneous support stands condemned. This pitiful appeal comes from the wealthy classes in Wales, the classes which own the land and most of the funded property, and it is addressed to this House against a proposition made by those who speak for the people of Wales, for those who are already adequately supplying the religious requirements of Wales out of their own pockets, and who deem this maintenance of their religion, not a burden, but an honour. We do not desire to say one word of disrespect to the Church. We desire rather to congratulate it upon its labours. We do not grudge it its success, if success there be; we only ask why should it be supported by the State, and why should it derive its support from endowments which ought to belong to the whole people of Wales? Now, the foundation of this singular plea is that this denomination, the Church, is superior any to other denomination in Wales in numbers. I will not go into figures more or less ambiguous. I will not follow the course taken by the Postmaster General, but I wish to mention, and am bound to mention, certain broad figures as to which there shall be as little doubt as possible. I do not think the broad facts of the case are always fully appreciated. The Church in Wales has 1,500 beneficed clergy and curates. The Calvinistic Methodists in Wales have 1,258 chapels and 284,000 adherents, and in 1890 collected £182,000 for the maintenance of their chapels.

*MR. STANLEY LEIGHTON (Shropshire, Oswestry): How many ministers?

*MR. STUART RENDEL: I have not the figures just now in hand. The Congregationalists have 1,138 chapels and 283,000 adherents, and collected £124,000, while the Welsh Baptists have 753 chapels, with 100,000 communicants. It has been suggested that Nonconformity in Wales is standing still or decaying, but to refute this I will point to the amount of money collected for the maintenance of one of these denominations. Perhaps the amount of contributions is a more convincing test than the number of adherents. The average amount collected annually by the Calvinistic Methodists for the 10 years from 1871 to 1880 was £144,903, and for the years from 1881 to 1890 it amounted to £170,700, and in the last year, at a steady increase, it amounted to £182,000. I have not the figures for the Congregationalists, but I can give the number of chapels and of actual communicants as to whose genuine membership there can be no doubt. In 1861 the Congregationalists had 761 chapels; in 1882, 1,083 chapels, and by 1890 they had 1,138 chapels. In the same years the number of communicants were 97,647, 120,652, and 127,360. The growth in numbers of the Welsh Baptists has been still more significant. In 1872 they had 576 chapels and 62,887 communicants, and last year they had 753 chapels and 939,622 communicants. In short, if I may take the total number of chapels or congregations as a fair test, these have grown from 2,927 in 1861 to over 4,500 last year. These figures show a steady and uniform growth, and therefore any argument founded upon the decay of Nonconformity in Wales is erroneous and unfair. It must be remembered in considering these figures that the Welsh population is not increasing as the English population increases; in fact, in five counties the population has dwindled for the last five years at the average rate of 600 a year. My hon. Friend the Member for the Eifion Division of Carnarvonshire has dealt with an interesting point, showing how the Welsh Nonconformists carry their Nonconformity with them out of Wales. It should carry conviction of the manner in which Nonconformity is ingrained in the character of the Welsh people to see the touching manner in which they take their religion with them wherever they go. And in regard to the hundreds of Welsh congregations in the United States—all of whom look upon this question as one not only of justice to their religion, but of recognition of their nationality—I would urge the unwisdom of those who now hold a majority in Parliament solely upon the cause of Imperial unity, lending their numbers to defeat a Resolution which tends to bring together and reconcile to a great English Institution every Welshman throughout the Empire. Of course, it is alleged by those who see a decline in Welsh Nonconformity that there has been a great revival of the Church in Wales. We are not here to contest that, or to quarrel about it, though we may have our own ideas as to the manner in which it is stated, and our own view as to the value to be attached to some of the figures with which the statement is supported. But one thing we will not do, we will not follow the example set by those high in authority in the Church—we will not endeavour to improve our own position by blackening the position of others. It is for us to state our case to the best of our power in accordance with the facts, but it does not fall within our methods of controversy to attack those who are honestly working in the same vineyard. We have not the slightest desire to depreciate good work that is done, whether by the Church in Wales or by any other denomination. It may, however, be fairly pointed out that as compared with England the ministry in Wales is doubly manned. You find in proportion to Church population, twice as many Bishops and Chapters and beneficed clergy in Wales as in England, and we are not quarrelling with the fact, but it does appear to us to render it all the more significant and arbitrarily aggressive that the Ecclesiastical Commissioners in the exercise of the extraordinary powers given to them by Parliament over what some are nevertheless pleased to call Church property should annually transfer large sums of £30,000 or £40,000 as subventions from the undermanned Church in England to the already overmanned Church in Wales. Now, after all, what is the result of what the Church has been doing in Wales? There has been an anti-tithe agitation. Is that a satisfactory result? I hardly think there is any one will say it is. What is the constitutional test? The wish of the people as expressed in a General Election. Is there any doubt as to what the result of a General Election in Wales would be now, or a year hence, or at any time? Nobody can have any doubt. There are not many Conservative Welsh Members, and there are not many Conservative candidates, but I was interested in reading the other day of the attitude of one Conservative candidate who, having once represented a Welsh consituency, has a laudable ambition to do so again. He was "heckled" on the question of disestablishment, and what he said in substance, in reply, was—

> "I am a Churchman. I think disestablishment would be ruinous to the religious interests of the country and the Church, but if the majority desire it I will vote for it."

That is a striking indication of what the state of feeling in Wales is, and of what the prospects of the next General Election in Wales are upon this question. I do not think the Postmaster General has assisted the Welsh Conservative candidates by his speech of to-night. It is a great event for us that the right hon. Gentleman the Member for Mid Lothian has spoken as he has, but if there is any speech second in value to us it is that delivered by the Postmaster General. The present authorised Church argument is represented, I take it, in the Amendment, but there is another bolder argument expressed by the Dean of Llandaff, who has urged—

> "How can you disestablish the Welsh Church? There is no Welsh Church. The Church in Wales is nothing more nor less than four dioceses of the Province of Canterbury."

I should like to ask the Postmaster General whether in his view there is a Welsh Church or not? The Dean of Llandaff says there is no Welsh Church. If there is no Welsh Church, then it is not a National Church in Wales, and Wales has a fair claim to say that the English Church shall not have the national position the State assigns to it in Wales. If it is, as is thus admitted, an alien Church, why all this heat and show of indignation over the term alien? On the other hand, if it is a Welsh Church then it is the National Church in Wales, and Wales, as the inherent right of its nationality, may claim to deal with it constitutionally. Whether it be called a Welsh Church or not a Welsh Church, our position is unanswerable. We have a right to reject its claims to monopoly if it is not ours. We have a right to deal with them as we please if it is ours. The real truth is this is a question of the separation of four dioceses from the Church of England, and though the difficulty of the separation has been done full justice to by the right hon. Gentleman the Member for Mid Lothian, is it such a serious matter? All the dioceses of the Church of England in the Colonies of Australia, New Zealand, and the Cape were, down to 1861, regarded and treated by the Church and the Government as part of the Establishment. In 1861, Lord Kingsdown's judgment decided that they were not, never had been, part of the Establishment. Since colonial dioceses were thus declared by the judgment of the Judicial Committee of the Privy Council not part of the Establishment, has the Church suffered any hurt? Has the discipline or the doctrine of the Church been affected? Has there been any conflict between the Established and the non-Established portions of the Church? On the contrary, no one seems to have been a whit the wiser or a penny the worse, and I venture to doubt whether the all important fact I now mention is within the knowledge of more than a very small minority of this House. It is no necessary part of Church unity that these four Welsh dioceses should be maintained as part of the Church of England. It is too late in the day to say that the separation of four more dioceses out of the hundred that belong to the Church of England can seriously affect her position, when already for the larger portion of those 100 dioceses are outside the Establishment. It is not essential to the life of a Church that she should be the creature of the State, and to make casuistical and sophistical difficulties over disestablishment in Wales is to exasperate a question which has already tried the Welsh people enough. Can any hon. Member, after hearing the arguments adduced on behalf of the Church, justify in his own mind the maintenance of the Establishment in Wales? I know that there is a sort of impatient idea that the Welsh people are Dissenters out of perversity, and why do they not, it is said, become members of the Church of England? I venture to say that, proud as the English people are of the Reformation, the Welsh people have as much reason to be proud of the redemption of Wales for Christianity by Nonconformity as Englishmen have to be proud of their Protestantism. It is not consistent with the self-respect of our peculiar people, our interesting race—call them what the Postmaster General will—to continue to tolerate the existence of the Establishment. Harmless as the Establishment may seem here, the people in Wales feel that they are unjustly kept under the Church yoke, and that their religion has cast upon it a certain stain of illegitimacy by the State giving exclusive and exhaustive spiritual authority to one denomination which is not that of the people. Consider what Establishment means. It means that the whole of the country of Wales is mapped out for the clergy, that the Bishops in Wales are the Bishops of every soul in their respective dioceses, and that every incumbent is by law the pastor of every soul in his parish. A smaller anomaly is that the Church of England recognises the Orders of the Roman Catholic priests, but will not recognise the Orders of Nonconformist ministers. Can it be supposed that a people like the Welsh, deeply attached as they are to their Nonconformist ministers, will willingly tolerate a state of things under which their ministers are in law discountenanced, their religion placed under a stigma as though of base birth, when it is in truth their highest glory, and when as a nation they are as justly proud to be Nonconformist as any Englishman can be to be Protestant. And who are the people you thus gratuitously insult and are willing to alienate? The people of Wales are religious, orderly, temperate, thrifty, and loyal beyond, I might say, other people; they are not intolerant of the Church of England doctrines; their objection is simply to its Establishment. As I well remember the late Mr. John Bright saying to me 10 years ago, when this question was first set burning in the minds of Welsh Members, the Church has ceased to be the Church of the people, not by its own wrong-doing as a Church, but by the action of Establishment. Establishment killed the Church, said Mr. Bright. And now I venture to say that it is Establishment which is rendering the Church odious to the people of Wales, and to contest the position of the Establishment, to try to save the Establishment, is to aggravate the position, and will make the inevitable change one of more severity to the Church. The real policy of those who care for the Church should be to reconcile the Church to the people, and that will best be done by disestablishment. I ask the House what harm the people of Wales have done to England that they should be so used? In what respect can it be said that they are in the wrong, or have ever acted wrongfully? Why are the English battalions here, and not the Scotch or the Irish, to vote against this Resolution? It is not our fault that Nonconformity has grown to be the form of our national religion; I do not say it is the fault of the Church even. It is the fault of the State, and the State must admit it, and withdraw its unhappy intervention as well for the sake of the Church as in justice to the Welsh people. Our demands are moderate, we do not wish to give effect to any revengeful feelings, we are not covetous of the goods of the Church. This is no claim for concurrent endowment, this is no proposal for a Maynooth grant. All we ask for is an honourable equality before the law for all denominations in Wales, and the people of Wales cannot do less than make this demand again and again until it is satisfied. Whatever the vote to-night may be, however English numbers may overthrow us, there is not one of the Englishmen who will go into the Lobby against us who will not feel that were we to do otherwise than fight this question as the one question for Wales we should be wanting not only in national self-respect, but in actual manhood, and in their hearts they would despise us.

*(10.30.) MR. STANLEY LEIGHTON: I was glad to hear from the hon. Gentleman who has just sat down the magnanimous declaration that he was not going to blacken the Church to which he belongs, but I think most hon. Members will agree that before he sat down he had succeeded in giving the Church what is commonly called a "back-hander." The hon. Gentleman seemed rather satisfied with the Amendment I have put down upon the paper and thinks it is a step towards reconcilement—that it is making an advance towards those who belong to other denominations. I am glad he thinks so. For my part I have no quarrel with Nonconformists, I represent Nonconformity as well as Church feeling. I am certain that I represent a great many Nonconformists who disagree with the words of the Churchman who has just spoken. The hon. Member who moved this Resolution seemed to think that I am hardly capable in my position of speaking for Wales or Welshmen, but I may say I am a good deal more con-

nected with Wales than the hon. Member who has spent twenty years of his life in Australia, and I think I know more about Wales than the hon. Gentleman who has just spoken, whose connection with the Principality is merely a political one, who has no home in Wales, and does not speak the Welsh language. I have something more than a political connection with Wales. I am acquainted with Welsh sentiment, and I do not hesitate to say that Churchmen and Nonconformists and all religious men in Wales will be extremely shocked at the tone and language of the hon. Member who brought forward this Resolution. I am perfectly certain that I speak the opinion of Nonconformists, and that they will not approve of the virulent attack the hon. Member has made upon those whose religious views differ from his own. The hon. Member who sits for Merthyr was returned to Parliament, not upon what may be called the Nonconformist interest, for all of those connected with the chapels in Merthyr voted against him and used the strongest language in condemnation of his claims. They said—though I hardly like to repeat what they did say—" that he was brother to Judas Iscariot," and that he and all his friends were going to a very bad place. I do not know whether he has yet made friends with these electors, or if, by his speech, he hopes to do so. The right hon. Gentleman the Member for Midlothian has given us an interesting account of his own attitude towards this subject, and how for the last twenty years he has been patiently watching which way the cat would jump. There was to the last an uncertainty as to which way he would vote, and it was extremely interesting to note the anxiety depicted on the faces of Members opposite as the right hon. Gentleman described the zeal and activity of the Church. However he seems to have come to the conclusion at last that the cat is out of the bag and has jumped. The right hon. Gentleman's conscience is influenced by electoral figures, his political conduct is governed by arithmetical rules, and upon the result of the elections of 1886 he has made up his mind that the number of Welsh Members supporting this Motion is sufficiently large to make it safe for him to support the Resolution. But I am not quite sure that he is right for in the election of 1886 the electors voting for the present Members numbered 60,000, and against them were 48,000, a proportion of five to four. Why, hon. Members who profess to represent Wales, represent only the "odd man." As an indication of the current of opinion at the present time, I may point to the recent School Board elections at Swansea, where the Church candidates, three clergymen, completely defeated the Nonconformists by more than 2,000 votes. [An hon. MEMBER: "The cumulative vote."] I think the idea that the feeling is all one way is based on a mistaken view of the facts. We shall this evening apply the microscope to Wales, but it must be remembered that this Motion affects five or six dioceses in the Southern Province and one in the Northern; it affects the Church of England in England as well as in Wales. The conditions of the Church in Wales are the same as in England, with this difference perhaps—that Churchmen in Wales show greater zeal and contribute more generously than in purely English dioceses, and that there are in Wales a larger proportion of communicants to the population than in England. But I specially wish to ask the hon. Member for Montgomeryshire (Mr. Stuart Rendel) what he means by the maintenance of the Establishment? Can he give us a definition; can the hon. Member who moved this Motion? Does he not know that the term "by law established" is a mere translation of "*legibus stabitita,*" and simply means the recognition and protection which is by law accorded to every lawful religion? That the term is equally applicable to all denominations. The hon. Member does not understand, and greatly disparages the position of the denominations whose case he is endeavouring to put forward when he does not recognise this fact. For the last 200 years there has been what may be called concurrent establishment. If he doubts that allowance by law is of necessity a sufficient establishment, let me remind him of old statutes and judicial declarations. In 1767, in the House of Lords, Lord Mansfield in the cause between the City of London and the Dissenters on the nomination of sheriffs used these words—

> "The Toleration Act renders that which was illegal before now legal. The Dissenter's way of worship is permitted and allowed by the Act.

> It is not only exempted from punishment, but rendered innocent and lawful. *It is established.*"

Hon. Members are perhaps ignorant of the law: they have not perhaps read *Blackstone.* It may be they have never heard of Lord Mansfield, who said the worship of Dissenters is established. Speaker Onslow supported that view, and in Dr. Furneaux's letters to *Blackstone* hon. Members will find the privileges to Dissenters described as legal establishment. For 200 years—from 1720 to 1850—the Dissenter denominations received State pay, sums of money being granted every year in the Appropriation Acts for their support, because they were considered to represent a legalised and established form of public religious worship. But Nonconformists are always asking for more establishment. Only the other day they asked for special rights to obtain sites for places of public worship. We have recognised the rights of Nonconformists: their ministers are relieved from serving civil offices: they are recognised by law.

*Mr. STUART RENDEL: I am sure the hon. Member does not wish to misrepresent me. What I said was that the Established Church does not recognise the orders of Nonconformist ministers.

*Mr. STANLEY LEIGHTON: Still I do not quite know what the hon. Member means. The Church does not recognise the orders of Nonconformists or Nonconformists our orders. Of course, no Church recognises the orders of another, in the sense of allowing services to be performed by those who do not believe in the doctrines of the Church.

*Mr. STUART RENDEL: I am unwilling to interrupt the hon. Gentleman; but I must repeat and emphasise my statement that the Established Church does recognise the orders of the Roman Catholic Church, but not of Nonconformists.

*Mr. STANLEY LEIGHTON: I beg pardon; we do not recognise the orders of the Roman Catholic Church, nor do Roman Catholics recognise our orders in the sense I have referred to.

Mr. de LISLE rose, but

*Mr. STANLEY LEIGHTON proceeded: I say we do recognise the position of Nonconformist ministers by law, by the State, by Acts of Parliament relieving them from service in offices where otherwise they would be compelled to serve, and so I say Nonconformity is established by law. But it is the endowments hon. Members want to confiscate, what do they care about the relations between Church and State? Why not be honest and say you want the money? For my part I can more tolerate though I cannot admire the narrow bigotry which would suppress every form of faith but its own than I can endure the canting hypocrisy which covers its predatory instincts under the cloak of religion. Here are the uses as set out in their draft Bill to which hon. Members would apply the money they get from the Church.

*Mr. STUART RENDEL: I am sure the hon. Member does not wish to directly mislead the House. His language is sometimes strong and his statements occasionally erroneous, he speaks of a draft Bill of ours; I can assure him there is no such thing in existence.

*Mr. STANLEY LEIGHTON: Oh, but I have the draft Bill here. ["Whose"?] Here are some of the purposes to which the funds of the Church are proposed to be devoted: music rooms, museums, observatories, eistedfodds. Will hon. Gentleman put all religious bodies upon the same footing? Dissenting bodies are richly endowed; let hon. Members regard the Church endowments as they do the endowments of their own denominations. The property administered by the Church is private not national property. If anybody doubts that I recommend him to learn law and history from the Nonconformist Selden, the Radical Chancellor Brougham, the Tory Eldon, the Unionist Selborne, the Radical historian Freeman. It is private not national property, and those who deny it assert what is morally, legally, and historically untrue. The Church has never been subsidised by the State, and is no burden upon the State. The right hon. Gentleman the Member for Mid Lothian has said on a notable occasion that the clergy are not State paid. I do not know whether that declaration of fact will now be said to contain "an element of exaggeration." The statement of the hon. Member for Swansea that tithes were supplied to the Church, by Parliament, is historically and absolutely untrue. Now it is declared in this Motion, that the—

> "Church has failed to fulfil its professed object as a means of promoting the religious

interests of the Welsh people and ministers only to a small minority of the population;''

but, as a matter of fact, there is in Wales no religious body which has so large a number of members. If all minorities are to be robbed of their endowments merely because they are minorities, then disendowment will have to begin with the Roman Catholics first, then the Wesleyans, the Independents, the Congregationalists, the Baptists, the Calvinists, and, last of all, the Church. It is not the Church of the few, but of the many. I think the right hon. Gentleman the Member for Mid Lothian said the Church in Wales is in precisely the same position as the Church in Ireland; but he forgets that in Ireland Roman Catholicism has a far larger number of adherents than the Church of England. But there is no religious denomination in Wales that can compare in numbers with the Church of England. Hon. Members base their case upon numbers, but how is it they so bitterly oppose an authoritative return of their numbers—a religious census? Why do they object to a man stating the religion he belongs to? I do not know how it may be in the company hon. Members keep, but I have never heard of a Nonconformist being ashamed to acknowledge the religion to which he belongs. Hon. Members claim to have many friends, why are they unwilling to have them counted? An amateur census has indeed been taken by an important gentleman whose name has been mentioned in the Debate, though probably it is not familiar to many hon. Members—a gentleman of the name of Gee. Mr. Gee is an Irishman, and, therefore, would be counted an alien in Wales. We do not call such persons aliens, but they have been called so during the Debate by hon. Members who claim to represent Wales; but, alien or not, Mr. Gee is a very important person; he is practically father-confessor to the right hon. Gentleman the Member for Denbigh (Mr. Osborne Morgan), and generally an autocrat among the Radical Members for North Wales. He is, indeed, a sort of Welsh Schnadhorst. This gentleman set up a census in 78 parishes, and published the returns as they came in. From these returns it appears that the Church in these parishes stands in proportion of 5 to 1 to the Baptists, 5 to 3 to the Calvinists, 3 to 1 to the Independents, and as 3 to 1 to the Wesleyans. This then, I say, is not the Church of the few, but of the many. This census further tells us that in Bangor the numbers are: the Church 5,306, Calvinists 3,549, Independants 1,026, Wesleyans 1,386, Roman Catholics 260. In Denbigh the Church 2051, Calvinists 938, Independents 609, Wesleyans 388. In Brecon, the Church 2832, Calvinists 148, Independents 189, Wesleyans 335, Roman Catholics 556. The right hon. Gentleman the Member for Mid Lothian, who has lived long enough at Harwarden to know something of the poor, made the audacious statement that the Church is the Church of the rich. We all know that Nonconformity is strongest among the middle classes, and has but few adherents among the poor. It is not always easy to test this. But the Nonconformist Board of Guardians at St. Asaph determined to find out the strength of Nonconformity among the poor by counting the adherents of different denominations who were in the workhouse. It turned out that there were 96 Churchmen, 13 Calvanists, 9 Baptists, 6 Independents, 5 Wesleyans, and 5 Roman Catholics.

MR. ILLINGWORTH: Can the hon. Member give us the statistics of the prisons?

MR. STANLEY LEIGHTON: Here we have the result of the investigation by a Nonconformist Board of Guardians establishing the fact that among the extreme poor the immense majority belong to the Church. This does not look like the failure of the Church among the poor, while Mr. Gee's census proves their strength in large towns. But Nonconformists, if not hon. Members, are willing to admit the activity of the clergy. The Rev. John Thomas, D.D., at Carnarvon on Nov. 20, 1883, said:—

> "During the last 50 years, but especially during the last 25 years things have greatly improved. A large number of Welsh Clergy take a deep interest in their work and there is no end of their visitation among their parishioners. I admire their zeal."

I have a good many other statistics which I put away because they have already been touched upon, and now I will say something upon what I may call the other side. I should like to know what means Dissenters have of supplying ministration to the poor, if a Motion like this under consideration is put into effect. There are 90 parishes in St. Asaph which have no resident Nonconformist minister. Something has been said about an alien Church. Do not hon. Members know that Nonconformity was first forced on Wales by Cromwell and Major-General Harrison? Do they not know that the clergy were thrust out, that a State religion was set up, and ministers paid by Parliamentary Commissioners, who established the Calvinistic doctrine of religious inequality. The plan failed, and in 1676, or 20 or 30 years afterwards, the Nonconformists in Wales numbered only 4 per cent of the inhabitants. Methodism in the last century was the offspring of the Church. It was a brotherhood within the Church. In 1801, and again in 1834, the chiefs of the Methodist body said they did not want to separate themselves from the Church of England. It was only when politics overshadowed the chapels that the attack upon the Church was made in Wales. I would like to have one or two inquiries made as to Nonconformity in Wales. I would like a Royal Commission to inquire into the established Noncoformist denominations in Wales. The official statistics of the Calvinistic Methodists show that in 1884 in that body there were 10,000 communicants, while in 1886 there were only 6000. We have other official statistics printed by the Nonconformists to the effect that in 1883 there were 422 Baptist pastors, and in 1886, 360. I would like to have an inquiry as to how many chapels have been abandoned and used for secular purposes since 1860, and how many unnecessary chapels had been erected, because I find that at a meeting held last spring, at Shrewsbury, one of the speakers said it was nothing less than a scandal to their common faith to see, in a street 30 yards long, four chapels, any one of which would accommodate all the congregations. I would like to know how many chapels are used for political meetings. There is the scandal of that hon. Member who got up in the pulpit, and, having delivered a very racy address one Saturday evening to the political Nonconformists, put a pipe in his mouth and smoked. [*Cries of* "Order!"]

Mr. W. PRITCHARD MORGAN rose, and was received with loud cries of "Order!"

Mr. STANLEY LEIGHTON refused to give way.

Mr. Stanley Leighton

Mr. W. PRITCHARD MORGAN still essayed to speak, but his voice was drowned in cries of "Order!"

*MR. STANLEY LEIGHTON: I was not alluding to the hon. Member. Why should he put the fools cap on?

*MR. W. PRITCHARD MORGAN: Mr. Speaker——

*MR. SPEAKER: Order!

*MR. STANLEY LEIGHTON: Really, the reason——

Mr. W. PRICHARD MORGAN still remained standing.

*MR. SPEAKER: If the hon. Gentleman (Mr. S. Leighton) does not give way he is in possession of the House.

*MR. STANLEY LEIGHTON: I do not see why I should give way to the hon. Member when I referred to a scandal in which he was not the actor. The real reason for the present agitation is the decline of Nonconformity and the increasing strength of the Church. If we crippled the Church who would be the gainers? Will spirituality be renewed amongst Nonconformists by giving this blow to the Church? Methodism, which is 100 years old, is already on the wane. The Welsh Church is older than the See of Canterbury, and has given to the Welsh the translation of the Bible, which has been the means of preserving the language, and is to this day practically the dictionary of the Welsh people; the bishops, clergy, and laity of the Church in Wales were never more active in Church work, in educational work, in philanthropic work, and I maintain that it would be unjust and inexpedient to paralyse the labours of such a Church; it would be to encourage class hatred and bitter sectarianism; it would take away from the poor the means of religious worship and retard the progress of the nation.

*(11.9.) SIR G. TREVELYAN (Glasgow, Bridgton): I do not propose to follow the hon. Member (Mr. S. Leighton) in his historical argument, but I must say that though I listened to his speech with great care and attention it was not easy to get hold of any tangible argument in favour of the Welsh Establishment. If the Church is to be saved it will be by speeches of a different kind. There have been speeches delivered by hon. Gentlemen opposite to which a much closer examination must be given. The hon. Member for Oswestry appealed to the age of

the Welsh Church, but for our present purposes we need not go back very far in history — not beyond the lifetime of many living men. Two generations ago there were in Wales 300 or 400 chapels, and now there are 3,000 or 4,000. That shows the tendency of the current: that shows what the people want, and will continue to want, until the Resolution before us has been carried out by law. Speeches in defence of the Church have been made, not by Welsh Members, but by Members for neighbouring English counties. The Members for Hereford and Shropshire are as near an approach to Welsh Members as can be got to plead against the wish of Wales. The hon. Member for Oswestry told us that the cause of this movement was the decline of Nonconformity and the increasing strength of the Church, and the hon. Member for Hereford (Sir J. Bailey), my old schoolfellow, who I hope will allow me to call him my hon. Friend, who spoke in the tone which men should adopt towards their neighbours, made the very best case out for the Church—a case in which he evidently thoroughly believed. He said that the Church of England and Wales, or the Church of England in Wales, as the hon. Member for Merthyr called it—it does not greatly matter by which name it is called for the short time it will last as an establishment—has increased greatly of late years, and he gave instances of that increase. Other instances have been given on the other side of the question. Now, I beg hon. Members to look very closely into both cases. The hon. Member for Hereford took the case of Merthyr Tydvil, the constituency of the hon. Member who moved the Motion. He showed how Merthyr Tydvil has increased. He showed that it is a great community of some 60,000 people, and he showed, if I recollect right, that about £122 a year is paid in tithes.

Sir J. BAILEY : The right hon. Gentleman is mixing up two cases. I think the sum in Merthyr Tydvil is £800.

*Sir G. TREVELYAN : The sum, at any rate, was small. He showed how there was a small sum in tithes, and how, by the public spirit and devotion of Churchmen, a very large body of religious teaching has been set up, many churches built, and many curates endowed. In fact, the whole speech of the hon. Gentleman was a speech on the advantage of voluntaryism. Other cases taken by another hon. Member, who well knows the case of Wales, were Cardiff Swansea, and Llanelly. In Cardiff the tithes are £109, in Swansea £140, in Llanelly I can find no tithes recorded at all, but the populations are enormous; they are counted by scores and hundreds and thousands, and they afford a fine field for the exertions of rival religious bodies. Where the population is dense and the endowments are small there the Church of Wales was increasing as the Church of England is increasing in our great cities. That is an argument, not for Establishment, but for voluntaryism. We must not think that in these great centres Nonconformity is behind hand. The same causes which have given an impetus to the Church have given an impetus to Nonconformity. In Merthyr Tydvil for every seat which the Church has provided, four are provided by other bodies, and in the great centres of Monmouthshire for every seat provided by the Church at least three have been provided by other bodies. It must be remembered by those who, like myself, listen for the opinions of the people through the mouths of their constitutional representatives, that all these crowded districts, of whom my hon. Friend spoke, send by enormous majorities men charged to effect in Parliament disestablishment of the Welsh Church. But these places do not afford the strongest test; that is to be found in the rural districts, those Welsh speaking districts where, by the confession of a dignitary of the Established Church, the Nonconformists are in an enormous majority. And what are the statistics of the hon. Member who has just sat down when tried by the light of the confession of a Dean of his own Church, when he says—

> "Out of 1,006,100 souls who, according to Mr. Ravenstein, speak Welsh, 800,000 are attached more or less closely to the 3,000 chapels of the three different Nonconformist sects. Statistical apologists will hint that these Nonconformists exist only on paper. Paper adherents do not give money. The Welsh Nonconformists give far more than £300,000 a year."

The truth is that it is these rural districts that are the real test rather than the great towns. These are the cases in which the excluded are the most numerous and the included are few, while the endowments are enormously great in proportion to any work done for the benefit of the population. The Postmaster General referred to these districts. He said that the great glory of the Church was that it kept up public worship and service for small congregations of two, three, and four people. If that were a valid argument, the Irish Church would be alive this very moment. It is quite idle to argue that these districts would be left without any sort of public worship if this money were withdrawn. If any good work is being done in these districts, even if the money were withdrawn, why should not the Church as a voluntary institution with its rich adherents go on doing the work which is done by the Nonconformist bodies with their poor clients? It is not the case that the field would be left empty, for the field is a religious field. The Welsh are a religious people, and if in any places there are only one, two, or three going to church, that is because the majority go to chapel. The real defence of an Established Church is that it is the Church of the poor. I have never heard any hon. Member deny that the Nonconformist bodies in Wales are the churches of the poor, or argue that the Church in Wales, whatever it is, is, at any rate, anything but the Church of the rich. And yet the Nonconformist colliers, the small famers, and small shopkeepers keep their own ministers, silently and without complaint, in decent competence. I have very small sympathy with men who draw large rents from the land and get the profits from the large works, who endeavour in the English newspapers to secure sympathy for their ministers, and yet who let their clergy starve if the tithes are not regularly paid. That is the state of things in Wales. The rich have their religious worship kept up for them at the expense of national property of £260,000 a year at the least. The poor took out of their slender earnings at least £300,000 a year; and then the Postmaster General comes to us and says that Wales is to submit to this state of things for the sake of England. He says that to rebel against this state of things would be to "fritter away the oneness of this realm of England." The speech of the Postmaster General was worth a great deal to us. It is strange, indeed, that so ingenious a Gentleman, who is arguing on behalf of an institution which he loves in so disinterested a manner as he does love the Church to which he belongs, should be so unfortunate in his language as to give weapons of the most trenchant sort to those who are endeavouring to overthrow its bulwarks. The references of the Postmaster General to the Welsh people I prefer to be read by the people in the Postmaster General's speech. The very mildest of them all was when he compared them to the more civilised districts of the Island. He used very much stronger remarks than these, but none of his epithets will go so home to the Welsh people as his absolute denial of a Welsh nationality. And on what ground does he deny this nationality? On the ground, so far as I can make out, that according to his reading of history until Wales fell under the power of England it never was united, but was split into three Principalities. Are we to make that the test of nationality? England, indeed, may be a nation on those conditions, and so may France. But what do you say to the nation, the struggle for whose nationality has made the history of our lifetime—the Kingdom of Italy? Was Italy a united Italy without anything else attached to it before the time that it was united under Victor Emanuel? Indeed, if I were to scrutinise too closely the claims of Ireland on the principle laid down by the Postmaster General, Ireland would have no claim to nationality. No, Sir; the arguments that have been used against this measure have not been of a very persuasive nature. The most formidable argument, and the one on which our adversaries rely, is that the Church, though not a very successful authority, is still a Propagandist Church. A sanguine man in the Debates on the Irish Church Bill said it would take 4,000 years to convert Ireland to Protestantism; and I think it would take at least four centuries to make any impression on the Nonconformity of Wales. And what a prospect it is for Wales that all the endowments of the Principality should be placed during all that period in the hands of the adversaries of the creed of the majority. It is said that the Welsh clergy are politicians. How can they be anything else if the endowments are used to draw their flocks away from them? Politics has been to them a matter of conscience. They are bound to be politicians. The only way to send them back to their duties, and to give them the same interest which all good citizens have in politics, is to do justice—to pass this Resolution and found a Bill upon it, at the earliest opportunity—to give them the fair play that all citizens ought to have. If you do that, you may be very sure that they will retire into the ranks of private citizens. There remains only one argument that I know of of a serious sort, and that is that the Church of England and Wales is an organic and indivisible body, and that you cannot separate the parts any more than you can separate a limb from the body. Now there is an interior and visible, as well as a mystic meaning in this. The visible meaning was given by the hon. Gentleman opposite. He said there were such very great practical difficulties on this question. He said—

> "Monmouthshire is part of the diocese of Llandaff, and how would you separate Monmouthshire from Llandaff and leave it, as an English county, under the influence of the Established Church."

My answer is that we should not separate Monmouthshire from the rest of the diocese of Llandaff. What would have been said if we had been told two years ago that we would not have a Local Government Bill because the unions overlapped the boundary of this or that county? And as regards the mystical side of the question—" This is a single indivisible body which cannot be divided "—that I allow is too deep for me. It is not a practical objection at all, and Members of this House are not likely to have much sympathy with it. The Resolution is a practical suggestion. We know the thing can be done. We have done it in the case of Scotland 200 years ago. It was quite idle to give the Scottish people then the arguments which are now thought good enough for the Welsh Nonconformists. The Scottish people told English Churchmen in a very sharp manner that they will not have them. This has been done in the case of Scotland, and it has been done in the case of Ireland. We know, therefore, that it is practical. I will advance only one more argument, which I think has not been given already, but which I consider a very serious argument indeed on one side of the question—that is, the demoralizing effect in every department of social and municipal life of Church privilege. Just as in Ireland when you began to favour a particular Church in things religious, that favour was spread to civil matters, so the same thing has taken place in Wales. There are Welsh counties where religious opinion is made a test for taking part in civil duties. There is one county which returns six Members to Parliament pledged to disestablishment, and yet in that county a short time ago there were but two County Justices who were Nonconformists. In the County of Carmarthen four-fifths of the population are Nonconformists. In the Island of Anglesey not long since there was but a single Nonconformist on the Bench, while in Flintshire there is not one. Up to a very recent period the same state of things prevailed in regard to other public positions in Wales. But it is very different in all cases in which the Welsh people have the power to express their own wishes, as in the County Councils, for instance. The conscientious objections which many Welshmen have to the payment of tithe has produced great differences, and has been one of the great causes which have led during the last three years to the greatly increased desire for disestablishment. We know by recent and ancient history that a Church which is in a precarious and an invidious position may be safe so long as it remains quiet, but that directly it becomes aggressive towards its opponents it will be placed in great danger. The Church in Scotland will furnish an example of this in the case of the Patronage Bill, and it is now the case with the Church in Wales in connection with the tithe war. If the Welsh Nonconformists had been left alone they might have remained tranquil, but the Tithe Bill which is about to pass through Parliament has set their backs to the wall, and they are determined to fight the whole question. The feeling against the Established Church is stronger in Wales at the present time than it ever was. It has been growing rapidly, and in proof of that I will give the House one or two figures. The old Parliamentary representation of Wales was not in favour of religious equality. In 1856 only two Welsh Members voted in favour of Mr. Miall's Motion for Welsh Disestablishment. Later on in the same year, when a Motion was brought forward in the House to enable Dissenters to take part in the proceedings of the Cambridge University Senate, only one Welsh Member voted in its favour. In 1870 it would be found only seven Welsh Members voted in favour of disestablishment, while now the numbers were 27 to 3, with the difference that the three cannot be relied on to vote at all. The reason is that since then two things have happened—we have got the ballot, and household suffrage has been extended to the counties. That is to say, the great body of the common people in Wales have the franchise, and they use it without supervision or dictation. It is proved beyond all manner of doubt that the great body of the Welsh commonalty are attached to the Nonconformist faith, and are opposed to the Established Church. The feeling against the Established Church grew up in the last century under a very severe system of persecution, such as is impossible now in these days of publicity and humanity, and it is kept alive, and will continue to be kept alive, by the only persecution now possible—the favour and partiality shown by the law to creed as against creed—a favour and partiality which I earnestly trust will receive their deathblow to-night.

(11.35.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): The House may well feel surprised that no attempt has been made by those who support the Motion to grapple with the propositions it contains. That Resolution made two statements of fact, and upon those statements based a recommendation. The statements are—first, that

> "The Church of England in Wales had failed to fulfil its professed object as a means of promoting the religious interests of the Welsh people;"

and, secondly, that

> "It ministers only to a small minority of the population."

The first of those propositions has been refuted as much by the speech of the right hon. Member for Mid Lothian as by any other speech that has been delivered to-night. The very person who has moved this Resolution acknowledged that there has been an awakening to life on the part of the Church in Wales. If the Church in Wales needed any vindication at all it has received it in the speech for which this Debate will be memorable—the speech of the right hon. Member for Mid Lothian, who spoke of the Church in terms of deep and sincere admiration, and showed that in support of their creed and their Church the supporters of the Church of England in Wales have outdone even the generosity of the people in English dioceses. This directly negatives the first proposition put upon the Paper. The right hon. Member who spoke last seemed to think that he had answered the argument based upon the recent increase of churches in places like Merthyr by saying that the Nonconformist chapels had increased in like proportion. Surely that does not disprove the good influence of the Church in Wales. Is it not a good thing that the energy of the Church should inspire corresponding energy in other bodies? An honest rivalry amongst those who are teaching religion and endeavouring to do good ought to be a cause for jubilation. The second proposition in the Resolution is that the Church in Wales ministers only to a small minority of the people. Has that been proved? The expression "a small minority" has not been explained, and we know that the last Church census, in 1889, which was begun was not carried to a completion by those who, being opponents of the Church, had thought to make capital out of it. It is not uncharitable to suppose that if the results of that census could have borne out the views expressed by the opponents of the Church they would have been put before the country in their entirety. Does this Resolution mean disestablishment and disendowment? ["Hear, hear!"] Then why does it not say so? Why should an attempt be made to induce the House to accept a vague Resolution of this kind? If the Church is using the funds it possesses for the benefit of the people there is no ground for taking them away. The right hon. Member opposite delivered a speech 20 years ago which he had not recanted, although to-night, with a miraculous subtlety of interpretation, he has tried to minimise its effect. Speaking of the proposal then made with regard to the Church of Wales, the right hon. Gentleman said—

> "We do not intend to go in that direction; we deprecate it, and we should regard it as a national misfortune."

That was 20 years ago, and what has been the history of those 20 years? There is not a Welsh Member who does not know that to-day the Church in Wales is stronger and better and purer and more energetic than it was then. Can Parliament reasonably be asked to cripple this organisation, which is generally admitted to be doing good work to-day—to cripple it, not because any one suggests that there is any object under the sun to which the Church funds can be devoted with greater usefulness to the people, but simply because a section of the community wish to gratify a political antagonism? It is said that the Nonconformity of Wales is opposed to the Church; but it is not to the old and traditional Nonconformity of Wales that this movement can be referred. Welsh Methodism was began by Churchmen who had no thought of making their movement an assault upon the Church. Welsh Methodism was taught by Churchmen, most of whom remained faithful members of the Church. In 1834 there was an assembly of the Welsh Methodists at Bala, at which it was unanimously agreed that those present deeply lamented the nature of the agitation now so persistent in the kingdom, and which avowedly had for its object the severing of the National Church from the State, and recommended every member of the Connection not to interfere, and pray that "They might lead a quiet and peaceable life, in all godliness and honesty." If those men who founded Welsh Dissent and restored to the Church by their bright example much of the efficiency that it had greatly lost, had been alive now, I believe that they would have raised the strongest voice against the Motion of their successors, who now ask to have the National Church disestablished and disendowed. The history of the Welsh Church has been a long one. For 1,300 years its tradition has been continuous, and because 200 years ago, through the action of a Monarch to whom England has not much reason to be grateful—I mean William III.—an unpatriotic, hard, and not a national administration of the Welsh Church occurred, by which it was for a time divorced from the people and weakened in its hold, that is no reason why, when we find the Church regaining its anthority and strength, sounding the note of purity, of energy, and of a true faith, we should not let the Welsh people enjoy in its increasing strength and fulness the administrations of a Church which for 11 centuries has been dear to them. It is too late to deal with any matters of statistics; but I would observe, in conclusion, that for neither statement made in the Resolution has sound reason been given in the speeches of hon. Members opposite.

(11.55.) Mr. BYRON REED: I beg to move that the Debate be now adjourned.

Mr. Dillwyn rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 235; Noes 203.—(Div. List, No. 60.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

Supply,—Committee upon Monday next.

SCHOOL BOARD FOR LONDON (SUPERANNUATION) BILL. (No 49.)

Order read, for resuming Adjourned Debate on nomination of the Select Committee [10th February.]

*(12.12.) The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): I crave the indulgence of the House for one moment in reference to the nomination of this Committee, and I ask the attention of the House to the proposal which I have to make, as it may relieve it from the dilemma in which it is placed. A few weeks ago it was agreed to appoint a Committee on the Motion of my hon. Friend the Member

for Evesham, to consider the question of the superannuation of the teachers of London, but no sooner was it done than a natural and general wish was expressed that the scope of the Committee should be extended, so as to deal with the whole question of superannuation. The result has been that it was agreed to appoint another Committee on the Motion of my hon. Friend the Member for Oxford University, to deal with the question of the superannuation of teachers as a whole. Thus we shall be in the position of having two Committees sitting upstairs to deal with the same subject if the present Motion is agreed to. In the interests of peace and of the teachers, I appeal to the hon. Baronet to postpone his Motion to-night, so as to allow an Instruction to be moved enlarging its scope and adding a few names. It is true my hon. Friend may urge that he will be placed at a disadvantage if the scope is enlarged, as his Committee was appointed for a specific purpose and in regard to a Bill in a concrete form now before the House. But I may venture to point out this to the House: that Returns have been moved for from the Education Department giving a large amount of information which will enable the Committee to deal thoroughly with the question of the superannuation of teachers as a whole; and until those Returns are forthcoming the Committee could be dealing with the subject of my hon. Friend's Bill, and afterwards deal with the general question. I only suggest this as a *via media* out of what I think is a dilemma, and I urge it in the interests of the whole body of elementary teachers.

*(12.15.) MR. T. H. BOLTON (St. Pancras, N.): I hope the hon. Baronet will not assent to the suggestion unless it is distinctly understood that the case of the London teachers shall be considered separately and distinctly from the general question. The London teachers have already a fund which amounts to something like £60,000 for purposes of superannuation, and they only ask to be at liberty to put that fund on a satisfactory basis. They do not ask for any public money. Unless their case is dealt with first, and separately from the general question, the Bill may have to be postponed indefinitely.

Sir W. Hart Dyke

*(12.16.) MR. J. G. TALBOT (Oxford University): I should like to say a few words in confirmation of what has been stated by my right hon. Friend. It is quite true I thought it undesirable to deal with the case of the London teachers without going into the whole question of the superannuation of teachers. At the same time, we have no hostile feeling to the proposal of my hon. Friend the Member for Evesham. The general question cannot be gone into immediately, as it appears that the Returns will not be ready for a few weeks, and, therefore, there can be no objection to my hon. Friend's Bill being considered pending the receipt of that information. But it would be inconsistent to have two Committees of the House sitting on practically the same subject and at the same time. If my hon. Friend will consent to the enlargement of the Instruction, then the matter can, I think, be brought on again next week without prejudice.

*(12.19.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): I think the suggestion a satisfactory one, as the Committee will be able to consider and report on my hon. Friend's Bill before dealing with the general question.

(12.20.) SIR R. PAGET (Somerset, Wells): I do not think that that should go forth as the arrangement. It might be deemed preferable that the Committee should defer its Report on the hon. Baronet's Bill until after it has considered the general question, as they might seriously hamper themselves by a premature decision. I do not wish to oppose any obstacle to the consideration of my hon. Friend's Bill; but the Committee must not be directed to report on it before they have dealt with the other branch of the Reference.

Debate further adjourned till Tuesday next.

EAST INDIA (FACTORY ACT).

Address for—

"Copies of Despatches from the Secretary of State in Council to the Government of India, dated the 13th day of May and the 3rd day of July, 1890, relating to the amendment of 'The Indian Factory Act, 1879.'" — (*Sir George Campbell.*)

House adjourned at twenty-five minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 23rd February, 1891.

BETTING BY INFANTS BILL

[H.L.]—(No. 34).

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, in asking your Lordships to give a Second Reading to this Bill, I do not propose to enter upon the subject of gambling generally, or upon the questions of ethics which have been so much discussed with regard to it, because I feel sure that whatever diversity of opinion there may be upon those points there will not be any difference of opinion that it is not expedient that boys and youths should enter upon the practice of betting and acquire habits of gambling before they arrive at an age which affords them that judgment and experience which would enable them to appreciate the dangers and the consequences of such habits and practices. And still more I think your Lordships will be agreed that it is not expedient that facilities should exist—on the contrary, that it would be desirable that they should be limited, or altogether got rid of—for tempting those who are of immature age to enter upon transactions of this description by holding out to them, as we know are held out, specious promises of certain gains and means of acquiring money which, in the vast majority of cases, and in the long run, they are sure to find delusive. That the evil exists I think there can be no doubt; that circulars are sent wholesale to boys at school and to youths at college pointing out to them the way in which, with what is described as little or no risk to themselves, they can have the prospect of acquiring large sums of money, is a fact about which there can be no question. I think your Lordships will feel that it would be desirable to put a stop to such proceedings, inasmuch as they have been unquestionably, in not a few instances, the source of positive evil and mischief. I acknowledge that the measure is, in a certain sense, a small one—it only deals with one class of acts of the same kind, and it may be said to cover only a limited area, but if the consequence of passing it should be to save even a few lives from being wrecked at their very outset, as so many are wrecked, which might otherwise have been honourable, prosperous, beneficial, to themselves and to the community, it would undoubtedly be a desirable thing to accomplish. It might, in individual cases, lead to a happy instead of to a disastrous life, and to this end I think may be accomplished without any of those counterbalancing disadvantages which unfortunately sometimes attend beneficent legislation. The object of the Bill is simply this: it is to render penal the sending of what are well known as betting touts' circulars, as they are now sent wholesale to boys at school and youths at colleges. It renders the sending of such circulars penal, and it raises a *primâ facie* presumption which, considering the circumstances, I think quite justifiable, that those circulars sent to boys and youths at colleges and schools are *primâ facie* sent to persons known to be infants. Of course leaving it open to the sender of the circular in each particular case to show that he had reasonable ground for believing that the person to whom he sent it was not an infant but an adult. I do not think I need detain your Lordships longer upon the object of this Bill. The scope of it will be intelligible enough without further words from me, and whatever criticism there may be upon its details, I cannot think there is likely to be any diversity of opinion as to the end in view being a desirable one. I have been strongly urged to extend the scope of this Bill, or at all events to extend by legislation the area within which it is to operate. At present it is confined to what I may call "betting circulars." I have received many representations from Members of your Lordships' House, and from others outside the House that it would be very desirable that similar legislation should be passed with regard to what will be understood when I describe them as "money-lending" circulars, which are also sent wholesale to boys and youths. The two subjects are obviously closely cognate because the two systems work into each other. The knowledge that there will be facilities afforded of obtaining money if necessary from the money-lender operates to remove one restraint upon a young man in responding to the seductions of the betting circulars, and I do not think there can be any sound objection to an extension of the measure, because although there may be circumstances under which a borrowing transaction on the part of an infant would be perfectly legitimate, I do not think that any legitimate desire to borrow. on the part of an infant would be likely to receive any valuable assistance from the receipt of any of these money-lending circulars; whilst, on the other hand, in many cases, it is certain they lead to the commencement of transactions by which a man is encumbered and burdened often during many of the subsequent years, perhaps during the whole, of his life. Therefore, if I receive any encouragement from your Lordships to do so, I would certainly be disposed to extend the scope of the Bill. It would not be a large addition to extend its operation to money-lending as well as to betting circulars.

Moved, "That the Bill be now read 2ª."—(*The Lord Herschell.*)

*Lord de ROS: I am sure both parents and guardians must be grateful to the noble and learned Lord for introducing a measure to put a stop to the pernicious system of betting by youths through these circulars, and if he had not forestalled me I was going to ask him whether he would include in the Bill, not only betting, but money-lending circulars, and make it penal for them to be sent to boys and youths at public schools and colleges, as they now are to an enormous extent. I hope your Lordships will accede to his suggestion, as he is, I am glad to hear, ready to include money-lending circulars within the scope of the Bill.

The LORD PRESIDENT of the COUNCIL (Viscount Cranbrook): My Lords, I desire to say that there will be no objection to the Bill on the part of the Government. The only question will be as to the extension of its scope. To myself it seems to be the most unreasonable thing in the world that, while people are brought before Magistrates and dealt with summarily for fortune-telling, persons should be allowed to carry on a trade which is worse a great deal than fortune-telling, and far more injurious in its consequences. A great deal is heard at the present time of legislation for the benefit of the poor, and I am therefore glad that something is at last going to be done for those who are supposed to be rich, and who have been left very much to take care of themselves, whilst rigorous measures are adopted to protect the poor against being entrapped by persons who call themselves fortune-tellers. I cannot see why the Bill should not be extended to those persons who offer facilities for borrowing money under what are practically or absolutely false pretences. What is done by the senders of such circulars may not come technically under the legal definition of false pretence, but persons are deceived in being led to suppose that the repayment of the money would be made on easy terms, while the actual terms turn out to be quite different, so that the unfortunate borrowers are hampered for years by the obligations they find they have incurred. Young men are frequently drawn into this system of borrowing before they are of age, on the security of expectations, which, when they are ultimately realised, are encumbered to an extent which embarrass them for a long time, perhaps as long as they live. Unfortunately, young men who receive these circulars do in that way borrow largely before they come of age, and their liability for money, which perhaps really they have never received, hangs round their necks for the rest of their lives. I am glad the noble and learned Lord has taken the matter in hand, as I believe that legislation may be attended with results beneficial to all who are exposed to these temptations.

The LORD CHANCELLOR: My Lords, I entirely approve of the object of the Bill, but I would call the noble and learned Lord's attention to the fact that he has simply made this offence a misdemeanour. If he will consider for a moment, I think he will see the clumsiness of the remedy which is proposed, instead of these offences being made triable before the Magistrates at Petty Sessions. He will see that the attainment of the object of the Bill is more likely to be secured by the remedy being made short and easy, without the necessity of bringing such cases before a Grand Jury to find a presentment. I believe it would be more effective if, instead of making the offence a misdemeanour for which an indictment may be preferred before a Grand Jury, it were made an offence for which any person charged with it might be brought before the Magistrates in the ordinary way to be summarily dealt with.

Lord ESHER: My Lords, I do often almost envy my noble and learned Friend opposite his good fortune in bringing forward all the beneficial measures in his power, such as the Bill which he now proposes. I have often in that view wished I could be an ex-Chancellor myself if it were not for the horrible necessity of being a Chancellor first. For the Bill itself, I really think it would be futile unless the addition were made which has been suggested, because if these people were not prevented from sending circulars to youths offering to lend them money, they would simply leave off sending circulars with regard to betting and would substitute others of a money-lending character but taking care that the offer to lend money should include a stipulation or a proposition that it should be employed in betting transactions. I entirely agree also, if I may be allowed to say so, with the suggestion made by the noble and learned Lord on the Woolsack, that it would be better to put in words which would give to the Magistrates summary power of dealing with the alleged offence. Further, I think, as I mentioned to my noble and learned Friend as I came to the House, there will be a difficulty with regard to the evidence against the persons charged with sending these letters. That will be a very difficult matter indeed, unless you put something into the Bill to make a *primâ facie* case against any of those persons requiring it to be disproved that he is the person who has sent the letters. I would therefore suggest that if a letter of any of the kinds described in the Bill is sent with the firm name or the known name of any person, that should be *primâ facie* evidence that it came from him, with liberty, of course, to that person to show that he knew nothing of it, had nothing to do with it, and that his name was appended to it without his authority.

The Earl of ABERDEEN: My Lords, I do not think that a Bill to restrain gambling, as proposed by my noble and learned Friend, can fail to be received with gratitude in this House. Perhaps, no body of individuals in this country is more exposed to the evils aimed at by the Bill, arising from this pest of money-lending circulars, than the Members of your Lordships' House, whether as sons or fathers. Those persons who send out these circulars do not draw the line at colleges and public schools, for I have a boy of 12, and therefore not old enough yet to be in a public school, who has received a good many of these circulars, at the private school where he is, in which he is told that if he borrows any money his father need not know anything about it, but that if in due time it became necessary he should know it he would no doubt be delighted to pay the money. It is fortunate that in many cases boys make a confidant of a headmaster, and in that way further evil was prevented. He showed the letters to his schoolmaster, and got, of course, some judicious advice, but that perhaps does not always happen; and I hope, therefore, your Lordships will approve this Bill, and rid the country of this terrible pest.

*The Archbishop of CANTERBURY: I am sure this Bill will be received with great gratitude over the whole country. There has been no Church Conference, decanal or diocesan, for some time past at which the subject has not been discussed with ardour, and at which attention has not been directed to the miseries which betting and gambling are bringing upon young persons and their families. It may be difficult to determine where the balance is to be struck or the line drawn between such betting as it may be thought ridiculous to do more than discountenance, and such betting as is bringing ruin upon a large number of young fellows at the present time. The noble and learned Lord in supporting the Bill has spoken with his accustomed moderation of the evil which attends the sending of circulars to schools and colleges, but he says very truly that it exists upon a scale which renders it worthy of interference by the Legislature. There is no clergyman, I am sure, but knows that the system is being carried on upon a vast scale indeed, and whatever else may be criminal and wrongful, there can be no baser trade than that of instigating ignorant young men to enter into betting and gambling transactions in order to make an enormous profit out of their inexperience and misery. It does indeed exist upon a great scale and in all directions. In a single square I know of two most unfortunate cases that have occurred within the last few months not far from where their Lordships are sitting. In the first, a very promising young footman had disappeared under terrible circumstances, leaving behind him proof that he had been extensively engaged in betting. In the second instance, at the other corner of the square, a young secretary committed suicide under most painful circumstances, after having been found to be fraudulent with regard to cheques to the amount of nearly £2,000. This young man's room was full of papers, of one of which I have here a copy. The accounts weekly furnished to him by the commission agent, whom I suppose, poor fellow, he thought he was employing, but who was really employing him, which were found after his death, are made out in a systematic manner, giving the dates of the meetings, the names of the horses, and the balance upon the amounts lost or won. Letters from this agent were also found, showing that occasionally small sums were sent to the unfortunate young man as winnings, but that he was more frequently asked for large cheques to make good the losses. He had been lured on by those means until a life which had begun well ended in terror and degradation. But that is not the end of the sad story. A friend who had been abroad for two years, on returning inquired for the young man, after his death, and on learning his fate remarked that he was the second friend of his who in the meantime had committed suicide through the unbearable wretchedness produced by the betting temptations of the men aimed at by the Bill. I would not have mentioned those cases did I not know that they are typical instances. I am assured by business men that there are at this moment many luncheon bars in the City where young men are tempted to bet and to borrow money for gambling purposes. Young men in those places are continually solicited to bet on horses, and are offered money to begin with, the men who make those offers being well assured that once they get the young men in their power they will be able in some way to produce the money even if they are driven to help themselves to it. Scarcely less evil is produced by the vile system of "money-lending," and I hope most heartily that the noble and learned Lord will include in his Bill the money-lending circulars which are being sent in such numbers to almost everybody. Not only youths at college and boys at school but a whole population is being drenched with these circulars. There is a kindred matter which might, I think, be more thoroughly attended to, and that is the large numbers of circulars which are sent to every house from Hamburg and other places on the Continent relating to foreign lotteries. I spoke to a legal authority on the subject the other day and he told me they were illegal, and that it was merely an accident that they had not been stopped by the Post Office. Two more came in a few days to my house, and they go on in profusion. If they are illegal the Postmaster General's attention ought to be called to the fact that these circulars are being constantly delivered, and I hope that an effectual check will be given to the practice.

VISCOUNT MIDLETON: I am very thankful to the noble and learned Lord for having introduced this Bill. I can give him every encouragement. Between 12 and 13 years ago, with the assistance of my noble Friend (being then in another place) I successfully passed through the House the Infants' Protection Act, which went very much on the same lines as this Bill. Every effort has been made since to overturn that measure by the parties it was intended to reach; and though I was unsuccessful in another place in passing that part of the Bill which made the judge and not the jury the arbiter of what were necessaries for infants in law, yet the simple fact that infants were rendered utterly incapable of contracting, and that no advances made to them while under age could be validated by any subsequent advance after they came of age, has operated as a very material check upon the doings of those depredators who prey upon that particular class. The Bill, with the assistance of my noble and learned Friend, was passed into law; and from that time to this it has never been found possible by those persons to get round the clauses, although every effort has been made to do so. I think we need not be in the least afraid of being accused of legislating in a grandmotherly spirit in reference to this Bill, because it is greatly needed in practice. I think that the noble and learned Lord has done a great public service in introducing it; and I sincerely hope it may be passed as soon as possible.

*LORD NORTON: My Lords, I merely wish to say a few words in gratitude to the noble and learned Lord for the Bill he has introduced; and I do so, not I am sure because it wants in any way a recommendation to the Members of this House, but because I cannot help thinking that the Bill may not commend itself as easily and as generally elsewhere as it does to Members of this House; and, therefore, anything like a general expression of opinion in favour of the Bill here will do as much good in drawing favourable attention to this most important subject as possibly even the passing of the Bill itself. Now, I cannot help thinking that the noble and learned Lord himself rather depreciated the importance of his Bill. He talked of it as a small measure. In my humble opinion there is not a more important measure before Parliament at this moment to the well-being of society than that we are now discussing, which proposes to check a noxious and lucrative trade, involving the demoralisation of the youth of the country, and bringing misery and disaster into many homes and families throughout the Kingdom. I hope that the suggestions which fell from the noble and learned Lord on the Woolsack, and also from my noble Friend near me, the Master of the Rolls, may be accepted as improvements in the Bill by the noble and learned Lord who has introduced it, for the purpose of facilitating the action of the Bill, and the conduct of proceedings in carrying out its object. I do not think the noble and learned Lord himself realises the enormous extent to which the mischief has gone which his Bill is aimed at suppressing. According to the Report alluded to by the most rev. Primate upon the facts which came before Convocation from various parts of England, carefully gathered together, it appears that there are no less than 10,000 of these professional betting agents in England alone. They are to be found in almost every locality, most of them dealing with young men, and dealing with them chiefly because they make more easily profit out of their inexperience than they would out of men older and with more sense in their heads. Their work is well known to go on, and it cannot be easily checked without the assistance of measures like this. It is going on at our public schools, at Eton, at Sandhurst, at the Universities—Oxford and Cambridge, and elsewhere. That is quite well known. The Bill does not deal with gambling in general, and, therefore, some of the cases cited by the Most Reverend Primate were not illustrations of the operations of this Bill. Gambling in general is the subject of a great deal of our legislation. There is nothing that the legislature has been more assiduous in trying to put down; but, as I have said, this Bill does not deal with gambling in general, but seeks, by protecting youth, to strike at these nurseries of vice and ruin. Gambling, I believe, though I am not a lawyer, is classed amongst public nuisances in our criminal law. It is a misdemeanour, and I cannot conceive a more offensive trade, or more contagious disease, in the country than it is. Certainly it ought to be prohibited in the same way that other public nuisances are. The Legislature has made constant efforts to put down gaming in general, but in all the Acts on the subject there has been a difficulty which we must bear in mind in dealing with even so much-required a Bill as this. The difficulty of legislating in regard to gambling in any shape at all is to steer clear between condemning harmless amusements and neglecting to penalise a most dangerous vice. The Acts which followed the Commission of 1844 have all taken this distinction most carefully; they have distinctly excepted wagering from the Common Law of Contracts, and have condemned it as being against public policy. It is distinctly made an illegal practice, and the Legislature has drawn a line between such games as faro, hazard, roulette, &c., and amusements which often involve money payments on a small scale, but which have nothing whatever to do with the subject of this Bill. The Bill is simply for the protection of youth and for the suppression of betting agencies which are making enormous profits at this moment from the inexperience and aptitude for excitement of boys who are thus led from small beginnings to acquire the habit, and a taste for gambling. Some persons appear to think that the cause for alarm is exaggerated, inasmuch as there is no such high play now as there was in the days of Fox and Sheridan; but all are agreed that the evil has spread among all classes and ages. Servants, small tradesmen, work-people, and pot-boys are engaged in betting. The Report of Convocation relates an instance of two boys on their way to school, settling the amount of their bets upon horse races in halfpence. This Bill is for the protection of youths from the first allurements of systematic betting. Some people are so foolish as to assert, and I have heard parents say that after all the stakes in these agents' books are very small, amounting perhaps only to a few shillings. So are the first steps in dram-drinking very small, but they are not the less certain to end in slavery to an unconquerable passion. There is one thing I must ask your Lordships to consider in this training of youth in the first nursery of gambling—for I am sorry to say I know something of this matter. It is very remarkable, but somehow or other these betting agencies manage to keep their young victims at first from the best thing that could happen to them, that is a good loss at starting, and to keep them for a time in a course of small winnings. And how can this be? Why, by blunting and breaking down that fine sense of honour, the destruction of which is after all the most dangerous part of these transactions. It is, however, not only the demoralisation of youth, but the injury done to families throughout this country, which this Bill of the noble and learned Lord will strike at. What a farce is the cant of education, when this vice is allowed to accompany it! My Lords, I fear a good deal of this entrapping of youth in the first steps of gambling is not done through these circulars alone, but in private life there are men and women—ladies—who almost perforce lead young lads to take the first steps in gambling at their houses. We cannot deal with that evil in this Bill, but I hope we can see our way to the infliction of adequate penalties upon these public agents who are sapping the life and happiness of the country, who are making gain for themselves out of the demoralisation of our youth, and introducing ruin in many homes.

*THE BISHOP OF LONDON: My Lords, I should like to say a few words more than have been said already about this Bill, and I will take very little time to say them. I can myself testify to the existence of the evil, and not only so but that it is growing very rapidly. I can testify that whereas it was somewhat prevalent in Public Schools 20 years ago, when I was myself a public schoolmaster, it has largely increased since that time, and is going on increasing. But there is one thing which makes this Bill particularly valuable in my eyes from a totally different point of view, and that is that the moral effect of the Bill will be to put a black mark against the practice of sending out those circulars and upon the agents or persons who send them out. Not long since I was very much startled to see on the list of a Church Committee, who were engaged in raising money for building a church, the name of a man whom I knew as one of those betting agents, and whose circulars I had seen. On my remonstrating against such a person being allowed on a Committee of that kind, I was immediately met with the charge that I was discrediting a well known and very useful occupation. I think the sooner Parliament makes it plain that those persons do not follow a useful occupation the better it will be for the community at large.

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I am sure the noble and learned Lord will be well satisfied with the reception his Bill has met with at the hands of your Lordships. I have never before heard such a unanimous expression of opinion on any subject which has been brought before your Lordships' House as has been evoked by this Bill. I trust the expression of opinion may be equally unanimous on the other side of the Central Hall. But, I fear, we may perhaps in the warmth of our sentiments against the practice complained of lose sight of the extreme difficulty in framing provisions that will prevent it. That is the real difficulty we have to deal with. We have no doubt whatever that it is desirable to stop these betting and loan circulars being sent to persons under age, if we can do it. My fear is that the men engaged in this business are men to whom character is of little importance; that they will change their names, use other persons' names, and employ the agency of men of straw to conduct their correspondence, and the proof will be, as my noble and learned Friend behind me has already pointed out, will be exceedingly difficult, and the Bill may miss its mark. I listened with some melancholy to the observations of my noble Friend (Lord Norton) that there is nothing which the Legislature has pursued so sedulously as the prevention of gambling by legislation. If the state of things we see around us at the present time is the result of long and sedulous action on the part of the Legislature, I am afraid it does not give us much hope for the future in respect to sedulous endeavours. I should be very glad if it could be made penal to join in playing with any person who is under age, I believe that the evil is so great. But I do not suggest a remedy that is beyond the possibilities of the moment. There is one remedy I would suggest to the noble and learned Lord, which I want him to take into his consideration. It may be possible that my unlearned mind may not see the difficulties; but it appears to me that the great object of the men who send out money-lending circulars is to get young men into their toils, not for the few shillings or pounds that they can dispose of, but to get them into their toils so that they shall have heavy debts hanging round them when they come of age, and then induce them to renew their acceptances and force them to pay. I should like to make it a plea in answer to an action of that kind that a similar debt had been contracted by the person sued when under age to the same plaintiff. If that idea could be thrown into practical shape, I am sure it would take away the great object that these men have in view, and do more than anything else to put an end to a practice which we unanimously condemned.

LORD HERSCHELL: I have, of course, every reason to be satisfied with the reception this Bill has met with. I quite agree with the noble Marquess that nothing is more difficult than by means of legislation to effectually carry out the end we have in view, and that, however carefully you may frame a measure of this description there are quite certain to be attempts, and quite certain to be almost successful attempts, to get round it and do that which you are seeking to prohibit. But, on the other hand, I think, notwithstanding that, you may gain great advantage by putting obstacles in the way of doing it, and that although you do not altogether succeed in your object, you will diminish and check the evil if you make it more difficult and dangerous to practice. I think, therefore, the noble Marquess will agree with me that though we are fully conscious of the impossibility of altogether preventing evasion we ought not on that account to be deterred from at any rate making some attempt to check the evil. I am much obliged for the suggestions made by noble Lords. I agree with the Lord Chancellor that it would be an advantage to make those offences punishable by summary conviction rather than by indictment. I would rather see a prospect of these offences being punished on summary conviction, even with diminished penalties, than make them subject to indictment for misdemeanour; for if imprisonment is one of the possible penalties that will act as a sufficient deterrent, it would not perhaps be rendered a greater terror if two or three months longer term were added on a conviction for misdemeanour. Then the Master of the Rolls referred to money-lending circulars. I am not quite sure whether it would be possible to insert a clause relating to them. I have consulted about it and it seems doubtful. Therefore, the better course would be to introduce another Bill and then to consolidate them in Committee. If your Lordships will allow me I would ask the House, immediately after this Bill has been put, to authorise another to render penal the sending of money-lending circulars to infants with the view of bringing the two Bills on together.

On Question, agreed to; Bill read 2^{a} accordingly, and committed to a Committee of the whole House.

EAST INDIA OFFICERS BILL [H.L.] (No. 35.)

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL [H.L.]—(No. 33.)

House in Committee (according to Order).

Clause 11.

Amendment moved, in page 4, line 4, after ("regards") insert ("conveyance to and from a school, or.")—(*The Lord Norton.*)

Amendment agreed to.

*LORD NORTON: I do hope to draw attention to this clause. In line 10, it is provided that the parent of a deaf or blind child shall not pay a larger fee for its instruction in a blind and deaf school than the ordinary school fee. The words are that, as far as regards the education of such a child, "the parent shall pay the ordinary weekly fee payable in a public elementary school for a similar child not blind or deaf." Everybody knows that the education of blind and deaf children is a great deal more expensive than that of ordinary children, and why should a parent, equally capable of payment for his child, be allowed to get a shillingsworth of education for 6d.? It is a great affliction, of course, to have a blind or deaf child, but you are not in consequence of that to make the unfortunate ratepayers pay more for its education. It is introducing a pauper principle if you only charge the ordinary fee to cover the much greater expense of education at one of these special schools. Those special schools are not only very expensive for the particular kind of instruction required, but they can only be district schools scattered throughout the country, and there is the conveyance and boarding of the children and other expenses incidental to this kind of education. I can find no reason whatever why the well-to-do parents of a blind or deaf child should pay no larger fee for the education of that child than is payable by a parent in similar circumstances for an ordinary child at an ordinary school.

Amendment proposed, in page 4, line 10, to leave out from ("parent") to ("deaf") in line 13.—(*The Lord Norton.*)

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My noble Friend rather surprises me at the way he seems to read this clause. No doubt if I read it as he appears to have read it I should find considerable difficulty; but the clause does not mean what he supposes. He supposes, apparently, that it lays down the principle that not more than the ordinary fee shall be paid for such a child at one of these special schools, that is to say, not more than 9d.; but that is only one of the items to be taken into consideration.

*LORD NORTON: It is for the education.

VISCOUNT CRANBROOK: One of the items to be taken into consideration is the means of the parent. The circumstances of the parent are to be regarded. That is to say, the two things are to be taken into consideration, the cost and the parents' means, and a sum is to be fixed, which it is thought right the parent ought to pay looking to his means. That is a totally different thing from ordering all parents to pay the same fee. The clause is intended to give power to the Court to fix upon the sum, which is to be settled in each case.

*LORD NORTON: Allow me to say that is not the case at all. I suppose the means of the parent, in the comparison, to be the same in the case of a child sent to an ordinary school and of one sent to a blind school; and yet the more expensive education is to be got by one of the parents for his blind child at the same fee as is charged to the other, similarly circumstanced, for the ordinary child. The other expenses of conveyance, maintenance, and so on, must be otherwise met; but in this line of the clause it particularly says that the payment for the education of a blind child is to be the same as the fee paid for an ordinary child. I really think this is a serious point. It is introducing a sort of eleemosynary socialistic principle into the Bill to say that because a parent has the misfortune to have a blind child, having the same means as the parent of an ordinary child, he is to be provided at public expense with the more expensive education at the same fee as the other parent pays for his child's ordinary education.

VISCOUNT CRANBROOK : It is provided that if the parent can make an agreement in regard to the sum to be paid he may do so. If not, the question must be taken before a Court of Summary Jurisdiction, and then there is power to take into consideration the means of the parent and also what the expense of the education of a child is ordinarily. That is to say, in the case of a parent who is of the working class, who would ordinarily pay the usual school fee at an ordinary school and not more, it would be in the power of the Summary Court to say that he should not pay more on account of his child being deaf. He would obtain conveyance for it from the place where he resides ; but it is left entirely open to the Court of Summary Jurisdiction to fix whatever fee it thinks proper for the education of that child, absolutely.

*LORD NORTON : I am afraid my education has been so ordinary that I cannot perceive the reason for the limit laid down, though a Court may relax it. However, I beg leave to withdraw my Amendment.

Amendment, by leave of the Committee, withdrawn.

Clause 14.

LORD EGERTON OF TATTON : My Lords, I have an Amendment at the end of the clause, which raises the question whether the compulsory powers in regard to these afflicted children should be exactly the same in reference to age as with regard to ordinary children. The noble Lord at the head of the Education Department contends that the parents of these children ought to have the power to take them away and to employ them in some occupation at the age of 14 years. Now, I venture to think that the case of these children—certainly of the deaf —is very different from that of ordinary children. If the parent of an ordinary child takes it away without having passed certain standards which may be found necessary for him in after life, he may continue his education ; but if you take away a deaf child at the age of 14, before he has attained the means of speech—acquiring the power of speech, he never can recover what he has lost in that way—he never can recover his powers of speech which he was in process of acquiring. Therefore, I say, a deaf child is placed at a disadvantage, under which he ought not to suffer, and on that account there should be a distinct difference made between deaf and blind and ordinary children. I have ventured to put the age at 15. I have not gone quite so far as the Royal Commission, and perhaps my noble Friend will be disposed to meet me on that point. I think the age of 15 a very important period, because it gives the necessary eight years after a child who is deaf should have commenced his education. It will enable him to have finished the education which he ought to have for eight years. The limitation to the compulsory powers at the end of eight years was taken out of the Bill. By the first Bill it was not necessary to send a child who was deaf to school before the age of seven years for reasons which were shown to us by inquiries both at home and in foreign countries—France, Germany and Italy ; that it was not profitable to the State to begin to educate a deaf child until he attained the age of seven, that he could not possibly before that age take any education. It was shown that those children were at least two years behind others, and therefore the compulsory powers I am asking for these children up to 15 are really no more than those for ordinary children up to the age of 13. That point was very strongly urged before the Commissioners, and that conclusion was arrived at after communication with teachers both in this country and abroad. It is not so likely, perhaps, that parents will withdraw their children in order to put them to work when they are getting a good education in some school maintained for that purpose, because they would not be fitted to obtain their livelihood at 14, but they might take away a child and put him in the streets to beg. I would ask your Lordships, is that a desirable thing to permit to be done ? Therefore, I say it is to the interest of the State to see that these children are properly taught, and that they should not be allowed to be withdrawn at the caprice of the parents. The State having gone so far as to provide for their being educated, ought to see that the education is completely and thoroughly carried out. I have, therefore, fixed 15 as the age at which these children can fairly be said to have had an education sufficient to enable them to obtain a livelihood in the future. These children are frequently withdrawn from school by their parents when only 13 or 14 and apprenticed to tailors or put to work at other trades, and they soon forget the little knowledge they have obtained, and though they may be capable of earning their livelihood by their work, they are without that education which they ought to have. The contention before the Commission is, that these children are and ought to be treated educationally as a class apart. The right way to deal with them is to do as is done in the United States, where they are considered the wards of the State, and where it is recognised that it is the duty of the State to look after them more carefully than other children. This is a very important matter if the oral system of teaching is ever to be largely carried out in this country. It is quite clear that this description of education is a thing apart. I am sorry to have to go into these details, but this is a subject of great importance. If the deaf children are to be educated at all it is only by enforcing such a system as they have in France, Germany, and Italy. In those countries they have certainly, by the course of education followed, enabled the deaf to speak, and it is only in consequence of the inferior teaching and of the short time devoted for the purpose of education that children of that class are in this country less fortunate in regard to what is done for them. This country is, I am sorry to say, very much behind the nations of the Continent in that particular. The Commission had before their minds the necessity that the education of these children should be raised to what it is according to the best system among the nations of the Continent, and it is, speaking on their behalf especially, that I venture to propose the addition of words which will raise the compulsory period from the age of 14 to 15.

Amendment moved, in page 5, line 4, at end of clause to add ("beyond the age of fifteen.")—(*The Lord Egerton of Tatton.*)

Lord Egerton of Tatton

*THE BISHOP OF LONDON: I should like to say a few words in addition to what has fallen from the Mover of the Amendment, because I also am a Member of the Commission. I paid very particular attention to all the evidence that was presented upon the best method of dealing with deaf children. It was certainly made out to us very clearly that it would be a very great gain to the deaf if they were so taught by the oral instruction method as to be able to speak in ordinary conversation with other people. It was also very clearly proved that it was necessary, if this was to be done at all, that sufficient time should be given to it. I venture to think if you curtail the time you will seriously damage the chances of giving the necessary instruction in that respect, and that you will waste a large proportion of your efforts in what may have been already done, you will have spent a rather shorter time and not have really obtained your object; and you might almost as well cease the attempt altogether as not carry it to its full extent. For myself I regret that the age was not fixed at 16; but, at any rate, I venture to think it would be very unwise to cut it down still lower. We ought not, I think, to fall into that worst of all mistakes, that is, doing a thing in so imperfect a manner that it is a question whether you ought in such a case as we have here to deal with to do it at all. I venture, therefore, to press upon the House to accept the Amendment.

*VISCOUNT CRANBROOK: My Lords, I think there is some little misapprehension as to what this clause really does. This clause puts deaf and blind children upon a totally different footing from other children who come into the ordinary schools and remain in the ordinary schools up to a certain time. In the ordinary schools at the age of 14, the Government ceases to pay any Parliamentary Grant for them at all. Here we agree to pay a Parliamentary Grant, and we permit their education to be helped out with it up to the age of 16, which is two years more than in the case of other ordinary children; but at the same time we leave them, at 14 years of age, as in the case of the ordinary children when they have passed a certain standard, at liberty to be taken away and put to work. In the ordinary schools they are taken away when they are able to assist their parents. But in this case it is well known that in most of these institutions they stay of their own accord, and if they do they will be able to do so with greater advantage by the help of the Parliamentary grant. With regard to the age of entry, that is provided for in a certain way. My noble Friend, Earl Granville, whom I am sorry not to see in his place, especially as his absence is from being indisposed, takes a great interest in this subject, and he headed the deputation to the Department. He, when the Bill was in this House, thought it would be a great advantage to add in the earlier years. I did not, however, think that a very material point to insist upon, because probably the School Boards would not think it advisable the children should be sent, and that the institutions would not be very anxious to receive them at that age. But with regard to the present Amendment of my noble Friend I really hope he will withdraw it, because it would be, I think, absolutely useless. This Bill does not alter the compulsory age for education at all, and all that my noble Friend would do would be to say that nothing in this Act shall operate beyond the compulsory period of 15 years. This leaves it simply under the Education Acts, and so the Amendment which my noble Friend proposes would be absolutely inoperative. I cannot help thinking that when he considers how far the suggestions of the Commission have been adopted in this Bill that he had better accept it as it is.

LORD EGERTON OF TATTON: After what has been said by my noble Friend, I beg to withdraw the Amendment. I merely wished to raise the question so that the Bill should not pass without its being noticed.

Amendment (by leave of the Committee) withdrawn.

Bill re-committed to the Standing Committee; and to be printed as amended. [No. 43.]

INTERMEDIATE SCHOOLS, &c. SITES BILL [H.L.]—(No. 3.)

House in Committee (according to Order).

Clause 1.

LORD HERSCHELL: This clause proposes to enable a person who has a limited interest in land to give or sell or exchange it for the purpose of erecting upon it an intermediate school, or a covered market or buildings. As regards remaindermen, I think sufficient protection is afforded by saying that the gift or sale is not to be made without their consent. But there is one point that needs consideration. The section provides, that if such a conveyance is made and the party to it is a minor or a lunatic, the conveyance is not to be made unless the guardian or Committee of such a person should concur. So far as it deals with sale or exchange I do not see any objection—I think that is enough; but if it is a gift which may be disposing of very valuable property of the infant or lunatic, inasmuch as it applies to land up to the extent of an acre, I doubt whether it is a sufficient safeguard that the guardian or Committee should concur, because it is really practically enabling the guardian or Committee to make a gift of the infant's or lunatic's land without consideration, no doubt for the public purpose of a school or market buildings. It may be doubted whether the mere consent of the guardian or Committee is a sufficient protection. I would suggest that in that case the intervention of the Court should be invoked, and that the gifts should only take effect (where it is a gift of property of a minor or a lunatic) with the sanction of the Court. Of course there may be cases where it would be for the benefit of the estate of the infant or lunatic to do this if it were advantageously and properly done, but I think the Court would not interfere in such cases; and, on the other hand, it would not be in the power of the guardian or Committee of the infant to make improperly a gift of what might be a valuable portion of his property.

***LORD STANLEY OF ALDERLEY**: If the noble Lord means to include the guardian who is probably the father of the next person in remainder, it seems to me hardly worth while to ask your Lordships to pass such a Bill, because in the case of sale and exchange Lord Cairn's Act is ample; but it is to avoid the difficulties of sale and purchase that I would ask your Lordships to pass this measure doing, in the case of sites for intermediate schools and markets, the same thing as was done in the case of places of public worship and burial ground sites. In the case of the Committee of a lunatic, I have no objection that the sanction of the Court should be taken; but in the case of a minor who, probably, is nearly of age, it would, it appears to me, make the Bill perfectly useless.

LORD HERSCHELL: I do not think my noble Friend sees the point. The minor might be only two years old—of course there is no limitation of age—and this would enable the guardian to make really a gift of what might be a valuable portion of the minor's property.

*LORD STANLEY OF ALDERLEY: You have done it in the Places of Public Worship Sites Act. Why should you not do it in other cases?

LORD HERSCHELL: I do not propose the Amendment now; it will require a little careful framing. For instance, the Court whose sanction is required would, in the case of a minor, be the High Court; and in the case of a lunatic, the authority would be the Lords Justices in Lunacy.

THE MARQUESS OF SALISBURY: You can put it in when the Bill is before the Standing Committee.

LORD HERSCHELL: Yes.

Bill reported without amendment; and re-committed to the Standing Committee.

BORROWING (INFANTS) BILL [H.L.]

A Bill to render penal the sending money circulars to infants—Was presented by the Lord Herschell; read 1ª; and to be printed. (No. 44.)

CLERGY DISCIPLINE (IMMORALITY) BILL [H.L.]

A Bill for better enforcing church discipline in the case of crimes and other offences against morality—Was presented by the Lord Archbishop of Canterbury: read 1ª; to be printed; and to be read 2ª on Thursday the 5th of March next. (No. 45).

House adjourned at twenty-five minutes before Six o'clock, till To-morrow, a quarter past Four o'clock.

Lord Stanley of Alderley

HOUSE OF COMMONS,

Monday, 23rd February, 1891.

QUESTIONS.

THE ASSAM-CHITTAGONG RAILWAY.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Under Secretary of State for India why, in the last two years' Indian Railway Reports, no mention has been made of the Assam-Chittagong project which was under negotiation, although other projects are described or spoken of, and the provisional route for the Assam line is duly marked on the map accompanying these Reports; if, as is understood, a concession has now been granted by the Secretary of State for this Assam Railway, can a statement of the terms on which the grant is made be laid upon the Table; and as it is said that a 3 per cent. guarantee is to be given on one and a-half millions of the capital, from what sources is the four and a-half millions, required to make up the estimate of six millions, to be supplied?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The reason why no mention was made of the Assam-Chittagong Railway project in the Reports referred to is that there was nothing fresh to report. Negotiations are now going on for the construction of the line, but nothing has been yet finally settled.

TAX ON DRY GRAIN IN CEYLON.

MR. SEALE-HAYNE (Devon, Ashburton): I beg to ask the Secretary of State for the Colonies whether, having regard to the recent abolition of the tax on dry grain in Ceylon, and the expression of opinion on the part of the Ceylon National Association, and the debate in the Legislative Council of that colony on the 17th of December last, showing a strong desire for the abolition of the Paddy Tax on the part of the representatives of the Sinhalese people, the British and other planting interests, and the burghers, he will give such instructions as shall permit the official members of the Council to vote for its abolition?

SIR J. GORST: In the unavoidable absence of my right hon. Friend, perhaps I may be allowed to reply to the question. All the Papers connected with this subject are now before the Secretary of State, and will require the most careful consideration, as, whatever may be the merits or demerits of the Paddy Tax, it could not be abolished without substituting other taxation. The question, as it stands, is a little misleading. It should be borne in mind that the repeal of the Dry Grain Tax is in no way connected with the various proposals that have been made with respect to the Paddy Tax. It is a matter that stands by itself, and on its own merits. As regards the debate to which the hon. Member refers, I may observe that the speeches of the unofficial members, four of whom had previously signed the Report of the Select Committee against the abolition of the tax, will show the difficulty which is felt in dealing with the subject. The burgher representative, it may be noted, stated distinctly that he was not an advocate for the entire abolition of the tax, but for its reduction. Pending the decision of Her Majesty's Government it would be impossible to permit any individual official to give his vote for the abolition of so important a portion of the Colonial Revenue.

MUSKETRY INSTRUCTION FOR THE VOLUNTEERS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War if, having regard to the onerous duties attaching to instructors of musketry in large regiments of the Volunteer Force, and to the great increase in the requirements as regards musketry of the Military Authorities, ' necessitating unceasing watchfulness to secure their fulfilment, it is possible in Corps of 10 companies or more to sanction the seconding and exemption from company duty of an instructor duly trained at Hythe?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I cannot sanction the seconding of Volunteer musketry instructors as a general rule; but if my hon. and gallant Friend can make out a special case as regards his Corps, I shall be prepared to entertain the proposal in his and in analogous cases.

AGRICULTURAL LABOURERS' UNION.

MAJOR RASCH (Essex, S.E.): I beg to ask the Chancellor of the Exchequer whether he is cognizant of the resolution of the Executive Committee of the Agricultural Labourers' Union of 6th February, "that no more sick benefit or superannuation benefits be paid;" if he is aware that a large number of poor labourers, who have for many years subscribed to the Sick Fund, will be deprived of the result of their thrift at a time when they most need it, and that the President of the Union has declined all offers of an independent inquiry into the funds of the Union; and having regard to the hardship of the case whether the Government will institute an inquiry into the state of the funds of the Union, and to the allegations made that moneys contributed to the Sick Fund have in the past been appropriated to other purposes connected with the Union?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am not surprised at the question of my hon. and gallant Friend if the facts are as he describes them. There is no subject which excites greater sympathy than the case of agricultural labourers or other wage earners who make contributions towards a fund for providing for their sickness and old age, and then find their hopes disappointed. But whatever the facts are, the Government has no power to order an inquiry into the application of the funds of a Trade Union. It is a question whether a Select Committee of the House could deal with such a case.

DISTRESS IN SOUTH UIST AND BARRA.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether he is aware that great poverty and distress prevails in the islands of South Uist and Barra, particularly among the fishermen and cottars; whether he is aware that legal injunction and interference by the proprietrix with the industry of gathering the seaweed called "tangles," for which a demand had sprung up, has stifled the industry; and that, in consequence, and to the great loss of the people, seaweed, worth thousands of pounds sterling, lies rotting on the shores of these islands; and whether he will extend the laws regarding white fishings in Scotland to all products of the sea?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): All the information I have on the first part of the question is to the effect that there is no exceptional poverty and distress in the district referred to, and that the applications for relief are unusually few in number. Presumably the hon. Member, by what he terms a legal injunction and interference by the proprietrix, means the action of interdict brought against certain parties who asserted a right to enter upon and use a farm for drying tangles. After judicial proceedings this interdict was made perpetual, and I understand that the result of this action has had none of the disastrous consequences set forth in the question. The industry is still carried on for the sole benefit of the crofters in the manner stated in the answers given to the hon. Member on March 17th and July 21st of last Session. As was then stated, I am unable to discover any legitimate grievance calling for remedy by legislation.

STREET ACCIDENTS IN THE METROPOLIS.

MR. HULSE (Salisbury): I beg to ask the Secretary of State for the Home Department if his attention has been called to an article in the *Daily News* of Monday, 16th February, in which it is stated, upon the authority of New Scotland Yard, that no fewer than 5,330 persons were run over in the Metropolis during the year 1889, and that the principal cause is owing to—

> "Drivers who sit inside covered vehicles, where they are unable to see anything but what is just in front of them, and the horses are driven with a simple snaffle bridle that affords no command over the horse, and they cannot, therefore, be pulled up quickly;"

and whether he can propose some improvement whereby greater safety in the London streets may be assured, and with a view to reducing the number of accidents from over 5,000 per annum?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Home Secretary has not seen the article in question, and does not know on what authority it was written. I must refer my hon. Friend to the answer which was given on this subject on the 10th inst., in which the Home Secretary stated that the whole matter was now engaging the attention of the Chief Commissioner.

H.M.S. *EGERIA*.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the First Lord of the Admiralty if he will state what steps have been taken in connection with the re-opening of the inquiry into the mutiny on board Her Majesty's Ship *Egeria*, and when that inquiry is likely to conclude?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The general inquiry into the outbreak on board the *Egeria* has not been re-opened, but the senior officer at Singapore was directed to inquire further into the facts of the cases of the executive petty officers and leading seamen who had been ordered to be punished, and to remit or reduce their punishments at his discretion. His Report, dated November 21, 1890, was received in office on February 9, 1891, and is now under the consideration of the members of the Board. The officers of the *Egeria* were dealt with by their Lordships on the Report of the original inquiry. The Commander and the Senior Lieutenant were superseded, and an expression of their Lordships' displeasure was conveyed to the other officers, with the exception of the boatswain, for their failure to support the First Lieutenant in his endeavours to restore order.

"COFFIN" TARGETS.

MR. JACOBY (Derby, Mid): I beg to ask the Secretary of State for War whether, as it is almost impossible to see "coffin" targets at 300 yards' range in wet weather, he will, looking at the great disadvantage that Volunteers are put to on such occasions when firing their class, give orders for the use of Wimbledon targets by the Reserve Forces before next month when class firing commences, and especially as he has stated that these targets are to be used by the Regular Troops?

*MR. E. STANHOPE: The change of target referred to, with other changes recommended by the Musketry Committee, would greatly affect the conditions under which a Volunteer can earn the higher rate of capitation; and it is indispensable that such alterations should have the most careful consideration before they can possibly be adopted.

POSTAL SERVICE BETWEEN STROME FERRY AND LOCHMADDY.

MR. FRASER-MACKINTOSH : I beg to ask the Postmaster General if he has received complaints of the inefficiencies and delays in the Postal Service by sea between Strome Ferry and Lochmaddy; whether he will grant a Return as from 1st September last showing how often, and for what periods, the steamer carrying the mails was behind time; and whether he is perfectly satisfied that the steamer now on the line, the *Handa*, is of a size and model safely fitted for this stormy route in winter?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University) : Yes, Sir; I have received complaints on this head, and it is admitted by the contractor for the service that the usual time has not been observed owing to the temporary necessity of placing the *Handa* on the station. To replace this vessel the *Staffa* was ordered last month, but on her way to Skye she unfortunately ran aground and now needs repair. The service provided for under the contract is a service three days a week, but that actually given is on six days a week, and it is being performed to the best of the contractor's ability in circumstances of much difficulty. I sympathise, however, with the inhabitants of the locality as to its present inadequacy, which I am determined shall not be allowed to continue. It would serve no good purpose, I think, to furnish the Return asked for by the hon. Member.

MARKET RIGHTS AND TOLLS.

MR. PICTON (Leicester) : I beg to ask the President of the Local Government Board whether he has considered the Report of the Royal Commission on Market Rights and Tolls; and whether it is the intention of the Government to propose any legislation founded on the recommendations of the Commissioners?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's) : The Report of the Royal Commissioners on Market Rights and Tolls was only delivered in the latter end of last week. There are 13 volumes of evidence, &c., in connection with this Report, and all the volumes have not yet been issued. In addition to the Report of the Commissioners, there are five Supplemental Reports in which members of the Commission express their dissent from certain of the recommendations. At present I can only say that the Report will receive the careful consideration of Her Majesty's Government.

MR. PICTON : Will the right hon. Gentleman be able to give an answer to the question within two or three months, or in the course of the Session?

*MR. RITCHIE : I should not like to promise anything I may not be able to perform.

MR. PICTON : Shall we receive information as to the intentions of the Government during the Session?

*MR. RITCHIE : I have really not had time yet to investigate the Report, and it is quite impossible to answer the question of the hon. Member.

LIEUTENANTS IN THE ROYAL NAVY.

MR. CHARLES ACLAND (Cornwall, Launceston) : I beg to ask the First Lord of the Admiralty whether, in view of the present paucity of Lieutenants in the Royal Navy on the Active List, the Admiralty will give to some of those officers on the Retired List of Lieutenants who, at the invitation of the Admiralty, have consented to serve in case of war or of national emergency, and who have in consequence attended courses of instruction, the further chance of rendering their services in time of war or of national emergency more valuable, by offering them the opportunity of returning to active service in time of peace?

*LORD G. HAMILTON : The margin of unemployed Lieutenants is small, but it has not, up to the present time, been found necessary to call upon retired officers to volunteer for service. Should the requirements of the Service render such a step necessary in the future, the Admiralty would not hesitate to avail itself of the services of such officers.

SCOTCH PUBLIC SCHOOLS.

MR. BUCHANAN (Edinburgh) : I beg to ask the Lord Advocate whether the attention of the Scottish Education Department has been called to a Conference of representatives of the School Boards of the large towns in Scotland, held in Edinburgh on February 11th, on the subject of the withdrawal of children from the public schools at too early an age; and whether the Department will take measures in the Code, or otherwise, to cope with the evils resulting from this practice?

*MR. J. P. B. ROBERTSON: The attention of the Scotch Education Department has been called to the Conference held in Edinburgh on 11th February, and the resolution passed by that Conference has been communicated to the Department. On the 27th of January the Department addressed to School Boards and other school managers a letter embodying certain proposals for counteracting the evil referred to. They are now receiving the remarks of the Local Authorities on the subject, and these will receive their careful consideration.

IPSDEN SCHOOL, OXFORDSHIRE.

MR. FRANCIS PARKER (Oxfordshire, Henley): I beg to ask the Vice President of the Committee of Council on Education if his attention has been called to complaints as to the educational *status* of the school at Ipsden, in Oxfordshire, and to the fact that the School Attendance Committee will neither answer letters or investigate the complaints; and what steps he will be prepared to take in the matter?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Department are engaged in the investigation of the circumstances to which my hon. Friend calls attention, and are prepared to take any steps that may be necessary to provide an efficient school for the children at Ipsden. The inaction of the School Attendance Committee, to which it is usual in the first instance to refer complaints, requires an explanation, for which the Department are now pressing a second time.

MASHONALAND—LOBENGULA'S CONCESSIONS.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for the Colonies whether Lobengula, having declared that the published terms of the alleged concession made by him to certain persons, who on the plea of this concession obtained a charter from Her Majesty's Government, are not "his words," has persistently refused to recognise the concession by taking over the 1,000 Martini-Henry rifles which were to be given to him by the concessionaires, and whether these rifles are still in the possession of the agent of the Chartered Company in the camp of the company at Bulawoyo; whether the money paid monthly by the company to Lobengula remains intact, ready to be repaid to the company; whether, in view of Lobengula's complaint that the concession, in respect to which a charter was granted to certain persons by Her Majesty's Government, does not represent what he was under the impression that he had conceded, any steps are being taken to prevent injustice being done to this African Chief; whether he is aware that promises of a specific amount of land in Mashonaland were held out by the agents of the Chartered Company to induce persons to take service in the expedition of the company to that country, although the concession granted by Lobengula, according to the company itself, gave to the concessionaires no rights over the land in Mashonaland; and whether the officers of Her Majesty in Bechuanaland, who were employed in recruiting for the company, were aware of these promises being held out, although by the concession they could not be performed?

SIR J. GORST: I have been requested by my right hon. Friend to answer this question. As regards the first paragraph of the question, Lobengula has made no such declaration. He said—"That I have given my whole country to Rhodes, it is not my words." It is not claimed that he has given his whole country. Her Majesty's Government believe, but do not know as a fact, that the rifles have not yet been accepted by Lobengula. He has not, however, thereby refused to recognise the concession. As regards the second paragraph, on July 30 it was stated that Lobengula had not then used any of this money. There was nothing said about repaying it to the company. In answer to the third paragraph, Lobengula does not appear to have made that complaint, but Her Majesty's Government will take all possible steps to prevent injury being done to him or any other South African Chief. With regard to the fourth paragraph, any promises of land by the company have been made expressly contingent upon the company acquiring a title to make land grants. In answer to the last paragraph, Her Majesty's Government believe that such promises were made to the "pioneers," but not to the police whom Her Majesty's officers assisted to recruit.

MANICALAND.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table of the House the alleged Treaty between the agents of the Chartered Company of South Africa and Mutassa in regard to Manicaland; whether he can state what presents were given to Mutassa either before or after his signifying his assent to the alleged Treaty; whether any intoxicating liquor was given to him; and whether, when he agreed to a Treaty, which, according to the *Times* correspondent, included the right to establish banks in what he considered his territory, there is any evidence to show that he understood to what he agreed?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): It would not be desirable to lay Papers while the negotiations are proceeding. We have no information as to the presents given to Mutassa—they are sure to have been suitable—nor whether any liquor was given to him. The Treaty is said to have been signed in the morning. The right of carrying on banking business was included in the concession, the terms of which were, as we are informed, discussed at great length by the Chief and his Indunas, and were carefully explained to them. The latter repeatedly stated that the Chief was perfectly free, as no Treaty of any sort had previously been signed by him, and no concession had been given by him to any one.

MR. PICTON: What is the word in the vernacular that is equivalent to "banking?" May I also ask if this matter will be settled with Portugal before any Papers are laid on the Table of the House?

*SIR J. FERGUSSON: I am not acquainted with the vernacular. In regard to the second question, I am not in a position to make a promise; but if the hon. Gentleman will put the question on the Paper, I will endeavour to answer it.

MASHONALAND—TREATMENT OF NATIVES.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether he has seen the following statement in a letter published in the *St. James's Gazette* of February 18th, dated "Fort Sali, Mashonaland, South Africa, January 3," and purporting to be from an Englishman with Colonel Prendergast's Force in Mashonaland—

> "Just seen a nigger held across the pole of a waggon, and get twenty-five. He howled, but serve him right, as he was a waggon driver who deserted in the bush at night on the way up, and was eventually caught;"

and if he will take steps to ascertain if the inhabitants of territory within British influence, and administered by persons holding a Royal Charter, are subjected to corporal punishment if they withdraw from the service of the said persons; and, if so, whether Her Majesty's Government will put an end to such a practice, and bring those guilty of it to justice?

SIR J. GORST: On behalf of my right hon. Friend, I have to say the Secretary of State had not seen the statement until his attention was called to it by the notice of this question. It does not appear to be alleged that the act was committed by persons in the employment of the British South Africa Company; but Her Majesty's Government will inquire as to the truth of the statement, and will take all possible measures to prevent and punish any abuses of the kind.

MR. LABOUCHERE: Is the right hon. Gentleman aware that no one is allowed in Mashonaland who is not in the employment of the South Africa Company?

SIR J. GORST: No, Sir; I am not.

THAMES WATERMEN AND THE LIGHTERMEN BILL.

SIR EDWARD GREY (Northumberland, Berwick): I beg to ask the President of the Board of Trade whether he intends to introduce a Bill this Session to give effect to the Report of the Committee on the Thames Watermen and Lightermen Bill of last year?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): The Committee of last year threw out a Bill for freeing the river. They have proposed, instead, a scheme which, after careful inquiry, I find appears to satisfy nobody. The Watermen's Company object to it, and complain that they were not heard by the Committee; and the Thames Conservators and the County Councils, apparently, do not want to have anything to do with the matter. Under these circumstances, I do not propose to introduce a Bill on the subject.

THE MAGAZINE RIFLE.

Mr. MARJORIBANKS (Berwickshire): I beg to ask the Secretary of State for War what steps have been taken to prevent stripping in the composite bullets used for the magazine rifle, and to secure their remaining homogeneous during and after firing; whether trials have been made of bullets with the mantle and core soldered together, and with what results; and whether the amount of copper contained in the present nickel mantle or casing of the bullet would cause serious results from poison in wounds resulting from them, and be in contravention of the Geneva Convention?

*Mr. E. STANHOPE: The required result has, so far as can be at present ascertained, and as I stated the other day, been achieved by the use of a somewhat thicker envelope. Trials were made with bullets in which the mantle and core were soldered together; the process did not appear to diminish the tendency to strip. No poisonous results are anticipated from the metallic coating of the bullets; nor do I find that they are in contravention of the Geneva Convention. In any case, coatings containing copper have been adopted in at least five Continental Armies.

SENTRY DUTY AT PUBLIC BUILDINGS IN LONDON.

Viscount WOLMER (Hants, Petersfield): I beg to ask the Secretary of State for War how many soldiers of the Guards are every day employed on sentry duty connected with St. James's Palace, Kensington Palace, the War Office, the Home Office, and the Foreign Office; whether the medical officers have ever reported sentry duty as a cause of ill-health and invaliding among the soldiers of the Brigade of Guards; and whether he has any reason to suppose that the great amount of sentry duty in London has an unfavourable effect on the recruiting for the Brigade of Guards?

*Mr. E. STANHOPE: This matter has recently been before me, and considerable reductions have been effected. At the present time the sentries at the points indicated in the question are 14, furnished by a guard of 42 men. Since 1885 the medical officers of the Guards have not reported against sentry duty. On the contrary, in 1886 and 1888 they reported that the duties were not too severe. Too heavy sentry duty is unpopular, and probably has an unfavourable effect on recruiting, but every effort has been made to reduce it to a reasonable extent in London. I am also inclined to agree in the opinion expressed by one of my predecessors in 1883, when he said—

> "Sentry duty is doubtless irksome, and is much disliked, but it is a very necessary part of a soldier's training, indispensable in War, and one for which some practice in peace is requisite."

Dr. FARQUHARSON (Aberdeen, W.): Is it true that at certain periods of the year the Guards in London have on an average, owing to sentry duty, only four and a half nights in bed per week?

*Mr. E. STANHOPE: This may have been so in the past, but it is not so now.

BRIDPORT SAVINGS BANK.

Mr. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether his attention has been called to an advertisement in the *Bridport News* of 13th February, in which

> "Major C. Sykes, Treasurer of the Bridport Savings Bank, gives notice that, in consequence of the trustees having decided to close the Bridport Savings Bank, his firm"

practically touts for the deposits, and announces that the firm

> "Have retained the services of the actuary of the Savings Bank;"

and whether any security is offered to these depositors in thus transferring their deposits to a private banking firm?

Mr. GOSCHEN: I am advised that the facts are as stated by the hon. Member; but the authorities of the bank have replied to the advertisement by issuing the following notice to their depositors:—

> "In view of circulars and advertisements recently issued, the trustees and managers beg to announce that it is their desire that depositors should exercise their own sole discretion as to the disposal of their money after receiving it, the trustees and managers being desirous of not influencing the depositors in any way."

As regards the last paragraph of the hon. Member's question, no security such as the Post Office Savings Banks afford can be afforded by any private bank.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): Has notice been sent to each depositor?

Mr. GOSCHEN: I believe that a notice to the depositors has been prepared, but I am not aware that it has been sent to each.

PROFIT SHARING.

Mr. BARTLEY (Islington, N.): I beg to ask the President of the Board of Trade whether he will have the Report on profit sharing reprinted in a handy form, as it is already out of print, and cannot be obtained at Messrs. Eyre and Spottiswoode's?

Sir M. HICKS BEACH: The sale of this Report was suspended for a short time to allow of some corrections being made. The amended edition has now been issued. I do not see any sufficient reason for publishing it in a cheaper form; but if anyone chooses to do so, I should raise no objection.

EXPENDITURE UNDER THE IMPERIAL DEFENCE ACT AND BARRACKS ACT.

Mr. SHAW LEFEVRE (Bradford, Central): I beg to ask the Secretary of State for War what is the estimated expenditure, for the year 1891-2, for fortifications under "The Imperial Defence Act, 1888," for armaments under the same Act, and for barracks and the purchase of land for the same under "The Barracks Act, 1890"?

*Mr. E. STANHOPE: The estimated expenditure for the year 1891-92 under the Imperial Defence Act of 1888 is for fortifications alone £600,000, and for armaments £210,000. It is quite impossible at present to indicate even approximately the amount which will be spent under the Barracks Loan Act during the coming year. Much will depend on the weather and progress made with plans. But I hope that a considerable amount of work will be carried on.

INDUSTRIAL SCHOOLS BILL.

Sir CHARLES DALRYMPLE (Ipswich): I beg to ask the Secretary of State for the Home Department whether, looking at the great importance of the questions dealt with in the Industrial Schools Bill of last Session, the great need of legislation, and the long period that has elapsed since the Royal Commission of 1882-3 made their Report to Parliament, he will consent to re-introduce the Bill in the present Session; and whether it has been brought to his knowledge that the Bill, if somewhat lightened, would probably obtain general acceptance?

Mr. STUART WORTLEY: It has not been brought to the Home Secretary's knowledge by what modifications the Industrial Schools Bill of last Session could be made practically a non-contentious measure, so as to render it possible to pass it during the present crowded Session. He will be glad to confer with my hon. Friend on this subject, and come to some decision.

TEN SHILLING NOTES.

Mr. SINCLAIR (Falkirk, &c.): I beg to ask the Chancellor of the Exchequer whether, in the issue of ten shilling notes suggested or foreshadowed in his address at Leeds, he proposes to base these notes on silver or gold (coin or bullion); and if as against silver, will such ten shilling notes be legal tender only for the same sum as that (not exceeding forty shillings), to which silver coin is now limited by law?

*Mr. GOSCHEN: My idea was that only so much silver should be held against these notes as, on consultation with men competent to judge, would be necessary, with a view to paying the notes in silver. The remainder will be secured partly on gold and partly on silver. The basis of the ten shilling note will be that it is payable in silver, and be a legal tender only to such amount in silver as the silver coinage itself.

*Mr. SINCLAIR: Does the right hon. Gentleman not consider that by offering such ten shilling notes in exchange for light half-sovereigns he will thereby obtain a large supply of gold as a nucleus for the commencement of his second gold reserve, while the holders of such light gold will escape risk of loss by such notes being legally tenderable for their face-value of ten shillings?

*MR. GOSCHEN: The question is not whether I should like the holders of the light half-sovereigns to take these notes, but whether they will take them in exchange. When they brought their half-sovereigns in they would be placed to their credit at the bank, and it would be desirable in many ways that they should be able to take out these silver notes.

*MR. SINCLAIR: Assuming that it was a voluntary action on the part of the holders that notes should be allowed to be exchanged in the way I suggested, would not the effect be that the right hon. Gentleman would thus obtain a large supply of gold for his second gold reserve?

*MR. GOSCHEN: Yes; it would substantially do so.

INSANITARY STATE OF WINDSOR.

EARL COMPTON (York, W.R. Barnsley): I beg to ask the President of the Local Government Board whether complaints have from time to time been received by the Local Government Board as to the insanitary state of the courts and alleys in Windsor; whether official inquiries were held into the matter; whether he is aware that with regard to South Place it was reported on 17th January, 1887, that

> "Of 13 houses on the south side, 10 have no opening whatever at the back, no scullery, no closet, and no water but a tap at the end of the row. For closet purposes, the 65 dwellers in the 10 houses have to go into an open yard at the back of the opposite houses on the north side;"

and that the Inspector also stated that

> "As for the houses on the south side, we see no way of rendering them tolerably habitable but by demolishing every third house and converting its site into a yard for its neighbours, with a proper w.c. to each;"

whether it is a fact that these houses in South Place are practically in the same condition as in 1887; and whether, under these circumstances, the Local Government Board will order the Local Authority to proceed under Part II. of

the Housing of the Working Classes Act, in accordance with the provisions of Subsection 2, Clause 31?

*MR. RITCHIE: Inquiries have been held by Inspectors of the Board with regard to the sanitary condition of courts and alleys in Windsor. I am informed that since January, 1887, considerable improvements have been made in South Place. On the north side six houses have been provided with additional sculleries and back doors, and with windows at the back. Ten new water-closets have been erected, and six old ones re-constructed. An additional water supply has been provided, and also new dust-bins; and the paving of the yards and the drainage have been improved. As regards the houses on the south side, nine have been improved by match-boarding and the under ventilation of the floors, and through ventilation has been secured by means of grid ventilators on the staircases where back windows have not been provided. The 11 houses on the south side are now occupied by only 46 persons; and as the Medical Officer of Health is of opinion that the water-closet accommodation cannot now be declared inadequate, he does not advise that some of the houses should be demolished for the purpose of making such provision. As regards the action which it is suggested that the Local Government Board should take, I am not aware that any representation by four or more householders has as yet been made to the Sanitary Authority under Section 31 of the Housing of the Working Classes Act, 1890; and assuming that any such representation has been made the Board have not received any such Petition from the householders as would empower them to take any proceedings in the matter.

SHEERNESS DOCKYARD.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Admiralty whether he is aware that the "job and check" system is still pursued in Sheerness Dockyard; that it is viewed with great dislike by the workmen; and whether he will take steps to put an end to it?

*LORD G. HAMILTON: The 'job and check system is only in force in Sheerness Dockyard in smithery, and has been in force for more than two years. It was instituted on account of the very unsatisfactory state of this department, in which the cost of production was much too great; and even now it is not so satisfactory as it should be. I cannot undertake to abolish this system.

BETHNAL GREEN BANK.

MR. HOWELL: I beg to ask the President of the Board of Trade whether his attention has been called to the failure in February, 1889, of the "Bethnal Green Bank," in which the deposits amounted to a total of or about £10,000; whether he has been informed that the effects of the bankrupt, Mr. T. F. Braybrook, and the estate of the "Bank" realised the sum of £4 000; whether any portion of these assets have been distributed to the depositors, if so, how much; and, if not, will he explain for what reason; and whether he can inform the House what the total costs of the bankruptcy proceedings have been, and what amount is left for the depositors?

*SIR M. HICKS BEACH: I am informed that up to 2nd February, 1891, the estate referred to by the hon. Member realised the sum of £4,991 3s. 7d.; that a dividend of 2s. 6d. in the £1 had been paid to the creditors, £1,674 6s. 7d. being distributed; and that the costs amounted to £2,911 19s. 9d., the principal items being: law costs, £1,741 9s. 10d.; trustees' remuneration, £528 6s. 1d.; auctioneer, £426 14s. 3d. The balance in hand is £235, and the outstanding assets are valued at £250. The receiving order was made on 11th February, 1889. Since 5th March, 1889, the estate has been administered by a non-official trustee and committee of creditors. The functions of the Board of Trade where a non-official trustee is appointed are limited to the audit of his accounts, and they have no control over the expenditure.

ALLOWANCES TO HIGH SHERIFFS OF COUNTIES.

MR. LOCKWOOD (York): I beg to ask the First Lord of the Treasury whether it is the practice of the Treasury to make allowances to the High Sheriffs of counties for attendances at Assizes, for summoning jurors, for hire of carriages for the use of Her Majesty's Judges, and for issuing proclamations, but to refuse to make such allowances to the Sheriffs of cities and towns in respect of these same items; and whether he is prepared to recommend that Sheriffs of cities and towns shall receive the same allowances as High Sheriffs of counties?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The allowances to High Sheriffs of counties which are mentioned in the question are not made to the Sheriffs of cities and towns, because these latter are appointed by the Town Councils under the Municipal Corporations Act of 1882, and are not, therefore, officers of the Crown. I cannot hold out any hope that the existing rule as to allowances will be extended to the Sheriffs of cities and towns.

THE HIGH COURT OF JUSTICE, QUEEN'S BENCH DIVISION.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the First Lord of the Treasury whether he will ascertain from the Lord Chancellor if he is aware that great dissatisfaction exists among many members of the Bar, and of other branches of the legal profession, as to the manner in which the business is conducted in the Queen's Bench Division of the High Court of Justice; and whether any changes are contemplated at an early date in the constitution of the Bench in that Division?

*MR. W. H. SMITH: If the hon. Member desires it, I will ascertain from the Lord Chancellor whether he is aware of any such dissatisfaction as appears to be pointed at in the question. But I am already in a position to say that no representation from the legal profession has reached the Lord Chancellor making any suggestion for a change in the constitution of the Queen's Bench Division.

FACTORY ACTS AMENDMENT BILL.

SIR HENRY JAMES (Bury, Lancashire): I beg to ask the First Lord of the Treasury whether it is the intention of the Government to move the Second Reading of the Bill for the amendment of the Factory Acts before Easter?

*MR. W. H. SMITH: With regard to the Second Reading of the Bill for the amendment of the Factory Acts in charge of the Home Secretary, I should hope that after the Debate of Wednesday last on the Bill of the right hon. Gentleman the House may be prepared to give the Bill of the Government a Second Reading without very much discussion, for there was practically a discussion on the subject when the Bill of the right hon. Gentleman opposite was before the House. I believe the House desires that these Bills should be considered by the Standing Committee on Trade; and having regard to that wish, we hope to take the Second Reading of our Bill next Thursday, as we feel that we should be justified in interrupting Supply for a short time looking to the importance of the question. When the Bill is referred to the Standing Committee it may be possible to introduce into the Bill of the Government some of the proposals of the right hon. Gentleman the Member for Bury which are accepted on both sides of the House.

SIR H. JAMES: Will the Bill be the first Order on Thursday?

*MR. W. H. SMITH: I hope it will be possible to take the Bill the first Order on Thursday, looking to its great importance and considering that the question is one upon which there is no Party feeling, and that it is regarded with interest on both sides.

IRISH LAND HOLDINGS.

MR. J. E. ELLIS: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what was the total number and area of holdings, the purchase of which was sanctioned by the Land Commission up to 14th February, and the total sum agreed to be advanced thereon; and what sum in addition to this had been applied for, respecting which no decision had been arrived at up to the same date?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Land Commission reports that up to January 31, 1891 (the latest date for which Returns have been prepared), the total advances applied for amounted to £9,620,819. Of this, advances have been provisionally sanctioned amounting to £7,822,014, and advances have been refused amounting to £1,026,152, leaving a sum as to which no decision has been as yet arrived at of £772,653. The Commissioners are unable to state the acreage of the holdings.

IRISH FISHERIES LOAN.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is it a fact that a man named Montgomery obtained a loan from the Inspectors of Irish Fisheries for £170 two or three years ago on giving good security for its repayment by instalments extending over some years, the last not falling due till 1895; that he purchased a fishing vessel with the money; that he repaid the instalments of his loan as they fell due up to the present; that neither the Fishery Inspectors nor the Board of Works held any mortgage or lien of any kind on the vessel; that he lately sold it to a fisherman named M'Carthy, from the County Cork, to whom the Inspectors of Fisheries had agreed to make a loan of £100, and for repayment of which M'Carthy had, with two sureties approved by the Inspectors of Fisheries, signed promissory notes for the amount to the Board of Works; that he, Montgomery, had consented to allow this £100, which otherwise would have had to be paid to him for the vessel, to be retained as a set-off or part payment of the balance falling due on foot of the loan made to him, though the last instalment would not fall due till 1895; that all the requirements and conditions imposed on M'Carthy had been complied with by him; and that subsequently, after the loan had been made and he had purchased his vessel from Montgomery, the completion of the transaction was refused unless Montgomery would pay up the balance of his loan, the last instalment of which would not fall due till 1895; and, if these allegations are correct, what authority had the Inspectors of Fisheries, or the Board of Works, for so acting?

MR. A. J. BALFOUR: The Inspectors of Irish Fisheries report that the facts are substantially as stated in the question. The security for the loan made to Montgomery consisted of promissory notes executed by him and his sureties jointly. The Inspectors were of opinion that to permit Montgomery to part with the boat would weaken his solvency, and would be a just cause of complaint on the part of the sureties in the event of its being ultimately necessary to take proceedings against them should there be default. Montgomery received from M'Carthy a sum of £35 on account, with which he could have discharged his outstanding debt of £25 11s. 8d. in respect to the loan. It was further considered inadvisable that the Trust Fund should be used for the purpose of making continuous loans on the same vessel. In these circumstances, Montgomery was called upon to discharge his liability before parting with the vessel.

THE TERMON ESTATE.

MR. MATTHEW KENNY (Tyrone, Mid): I beg to ask the Attorney General for Ireland if he is aware that the Receiver on the estate of Sir John M. Stewart's Termon Estate, County Tyrone, has taken Civil Bill proceedings against tenants for the recovery of certain rents, notwithstanding that a notice had been served on the tenants by order of the Receiver Judge authorising abatements of rent if paid by a date which will not be reached for a month hence; if the Receiver Judge will take notice of this breach of faith with the tenants; and if, in the event of eviction proceedings being resorted to under the circumstances, he will advise the Lord Lieutenant to withhold the service of the Forces of the Crown?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The management of the estate referred to is in the hands of the Receiver Judge, to whom application should be made, if the tenants think they have reason to complain of the action of the Receiver.

THE ROYAL IRISH CONSTABULARY.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if any money has been paid from the Constabulary Force Fund to either officers or men of the Royal Irish Constabulary who joined that Force since 1883; and, if so, how much; if, during the Crimean War, any money was used from this fund to equip and transport the volunteers from the Royal Irish Constabulary to the different corps for which they volunteered; and, if so, how much; and if the Constabulary Force Fund was drawn upon to build a wing of the present Constabulary Depôt in Dublin; and, if so, to what amount?

MR. A. J. BALFOUR: The Constabulary authorities report that, inasmuch as officers and men of the Royal Irish Constabulary joining the force since the Act of 1883 are precluded by that Act from contributing to the Constabulary Force Fund, neither they nor their widows or children have received, or will receive, any grant from the insurance branch of the Fund. They are entitled to receive for good police service grants from the reward branch of the Fund. Eight men appointed since the Act of 1883 have received such rewards, amounting in all to a total of £18. No such payments as are mentioned in the second and third paragraphs of the question have been made, or could possibly be made, from the Fund.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what sum did Colonel Hillier receive from the Constabulary Force Fund, when retiring as Inspector General of the Royal Irish Constabulary, and how long did Colonel Hillier occupy the position of Inspector General; what sum was paid Colonel Bruce on his retirement from the position of Inspector General of the Royal Irish Constabulary from the Constabulary Force Fund; and what was the period of his service in that Force?

MR. A. J. BALFOUR: The Constabulary authorities report that Colonel Hillier on retirement received from the Constabulary Force Fund a sum of £279. He had served in the Force for 22 1-3 years, of which 5 7-12 years had been in the position of Inspector General. Colonel Bruce received from the same Fund on his retirement a sum of £232 10s. He had served in the Force for 8 2-3 years.

MAIL SERVICE BETWEEN CAVAN AND CLONES.

MR. KNOX (Cavan, W.): I beg to ask the Postmaster General whether he will consider the possibility of arranging with the Great Northern Railway Company of Ireland for an improved train service between Cavan and Clones, in order to expedite the mail service, and to avoid the necessity for the mail cars which at present convey the mails between Cavan and Clones along the route of the railway?

*MR. RAIKES: This question has several times been under consideration;

but it has always been found that the arrangement desired would involve the establishment of special trains, at an expenditure far in excess of the available revenue. As the mails already reach Cavan by road at an early hour in the morning, no large expenditure for a service by railway would be warranted. I am informed that the circumstances have undergone no change.

MARKET RIGHTS AND TOLLS IN IRELAND.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government intend during this Session, or at all, to introduce any Bill designed to carry into effect the recommendations of the Royal Commission on Market Rights and Tolls, in so far as those recommendations affect Ireland?

MR. A. J. BALFOUR: I have nothing to add to the answer my right hon. Friend the President of the Local Government Board has given to the hon. Member for Leicester (Mr. Picton). No steps will be taken without a consultation between the two Departments.

BELFAST STREET TRAMWAYS.

MR. DE COBAIN (Belfast, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Resident Magistrates for the City of Belfast, the Local Justices of the Peace who are members of the City Corporation, and also the officers and men of the Royal Irish Constabulary have free passes, or in some cases passes at a merely nominal rate, for travelling by the Belfast Street Tramway Company's cars, although the Magistrates thus privileged adjudicate upon cases in which the Tramway Company are concerned, and whether Magistrates are permitted to accept free passes from companies over whom they have judicial jurisdiction; and if he could furnish a statement of the number of prosecutions brought by the police force of Belfast against the Belfast Street Tramways Company for breaches of the city bye-laws before and since the privilege of free travelling has been granted to the police?

MR. A. J. BALFOUR: I must ask the hon. Member to defer the question.

Mr. Raikes

THE MAIL SERVICE TO LIMERICK.

MR. O'KEEFFE (Limerick): I beg to ask the Postmaster General if his attention has been directed to almost daily irregularities of delivery of letters between Limerick and Fermoy, Kilworth, and other parts of the County of Cork; and, with reference to a reply from the Secretary of the Post Office, Dublin, dated 19th January, 1891, No. 1752, to a Limerick merchant—

> "That such complaints were due to late arrivals at Limerick Junction of the night mail trains from Limerick, and that the special attention of the Waterford and Limerick Railway had been called to such matters,"

will he state the result of such inquiry, and explain the cause of the delays on that railway?

*MR. RAIKES: The irregularities in the mail service on the Waterford and Limerick Railway are attributed by the Railway Company to the difficulty in working their traffic consequent on the recent strike. Although the strike has been over some time, the irregularities, I am sorry to say, have not ceased; and the company, in their explanation, state that the new men whom they had to take on are unable to marshal and shunt the trains so quickly as the men formerly employed. This, however, seems hardly a sufficient excuse, and I have strongly represented to the company the necessity of taking some effectual measures for improving the service.

THE LARNE AND STRANRAER ROUTE.

MR. SEXTON (Belfast, W.): I beg to ask the Postmaster General whether he has yet submitted to the Treasury his proposal respecting the Larne and Stranraer route?

*MR. RAIKES: Yes, Sir; the whole subject is now before the Treasury. I submitted full Reports respecting the alternative routes on the 12th February.

MR. SEXTON: Is it proposed to make one route supplementary to the other?

*MR. RAIKES: Certainly, Sir.

BELFAST PRISON.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, what has been the result of the conference between the Irish Government and the Irish Prisons Board, concerning the unanimous protest of the Corporation of Belfast against the projected alterations of Her Majesty's Prison at Belfast, upon the several grounds that they would create an eyesore, destroy the frontage line, and deteriorate the value of property in the district?

MR. A. J. BALFOUR: The subject is still under consideration. The works have been suspended to await the result of such final decision as may be come to.

SMALL-POX IN BELFAST POLICE STATION.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that there has been an outbreak of small-pox in the Donegal Street Police Station, Belfast; whether it is admitted that this and other police stations in Belfast have long since been condemned as both structurally and sanitarily unsuitable; can he explain why, although more than a year ago the Corporation of Belfast conveyed to the Irish Government a site for a central police station, and the Government promised to begin the erection of the station last November, nothing has yet been done; and, now that the evil effects of the delay are so painfully demonstrated, what steps do the Irish Government mean to take?

MR. A. J. BALFOUR: The Constabulary authorities report that it is the case that some of the men in the Donegal Street Police Station have been attacked by small-pox; but that it is not the case that the premises are unsanitary, or were ever considered so. The disease is reported to have been introduced by a member of the force who was on duty in a locality in the city in which it existed. There has been no unnecessary delay in proceeding with the building of the central barracks. The Corporation did not convey a site more than a year ago. They were not in a position to convey it until very recently, and the lease was only completed within the past few days. Every progress is being made with the construction of new police barracks in Belfast.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.

MR. MATTHEW KENNY: I beg to ask the Attorney General for Ireland if he intends to re-introduce the Local Registration of Title (Ireland) Bill; and if, in view of the necessity of speedily passing Part IV., dealing with the devolution of freeholds sold under the Purchase Acts, he will consider whether it would be advisable to introduce what would be a non-contentious measure separately?

MR. MADDEN: I am glad to find that the hon. and learned Gentleman in whose name this question stands—and other hon. Members—recognises the necessity of speedily passing the fourth part of the Local Registration of Title Bill. In this I agree with him. But I regard it as of equal importance to provide tenant purchasers with a system of registration suitable to the nature of their holdings. From the reception given to the Bill last year I venture to regard it as practically non-contentious. By introducing it early in the present Session I hope that it may be possible to pass it into law with such useful amendments as may be suggested by hon. Members who take an interest in this important matter.

ETHER.

MR. MATTHEW KENNY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can confirm the statement published in newspapers that ether has been scheduled as a poison, and can in future be sold in Ireland only by chemists?

MR. A. J. BALFOUR: As stated by my right hon. Friend the Chancellor of the Exchequer, in reply to a question addressed to him on December 1, ether has been scheduled, and it can only now be sold by qualified chemists or druggists as a poison.

CASE OF MRS. MARY M'GEE.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, on the 13th ultimo, after visiting the house of Mrs. Mary M'Gee, of Lough Keel, Gweedore, a widow, over 80 years of age, Sergeant Daly, of the Irish Constabulary, telegraphed to the relieving officer of the district, with the result that the relieving officer visited the woman, and the Dunfanaghy Guardians granted her a weekly allowance of Indian meal for two weeks only; whether he is aware that the Guardians, on Saturday, the 24th ultimo, refused to grant further relief to Mrs. M'Gee; that when the weekly allowance was applied for on Tuesday, the 27th ultimo, it was refused; and that Mrs. M'Gee died on the following day, Wednesday, the 28th, for want of sufficient food; whether he is aware that three days after her death the relieving officer wrote to the shopkeeper who supplied meal for the orders of the Guardians, saying—

> "I beg to say that I was instructed by the Board of Guardians last Saturday [the 24th] to go over some day this week, and to make more inquiry about the means of support of Mary M'Gee before they would give her more outdoor relief; but as I did not get going, you better please give her 2 stone more I. meal this week, until I get going over;"

whether the parish priest requested Sergeant Daly to take steps to secure the holding of an inquest; and will he explain why there has been no inquest in the case?

Mr. A. J. BALFOUR: I am informed that there is no ground for the suggestion that this old woman died from want of sufficient food. She was old; she was delicate; she had meal, a little money, and apparently some poultry, at the time of her death. The Rev. James M'Fadden did inquire whether it was intended to hold an inquest. Sergeant Daly replied that he had been to the house where the woman had died, and made an inquiry from her son and daughter, and that there was no complaint that the woman had died from want of food. The death was neither sudden nor suspicious, and there was nothing to suggest any necessity for an inquest.

Mr. SEXTON: I beg to give notice that I will call attention to this case.

IRISH NATIONAL SCHOOL TEACHERS.

Mr. W. A. MACDONALD (Queen's Co., Ossory): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that, according to the Report of the Auditor General upon the Vote for Public Education in Ireland during the last financial year, there has been a saving in the salaries of national school teachers as compared with the grant made by Parliament of £34,866; whether this is attributed to the existence of epidemics and to unusually bad weather which prevented pupils from qualifying for examination for results, and thus caused a serious falling off in the incomes of teachers without any fault of theirs; and whether, since the system of payment by results in respect of primary schools has been abandoned with regard to England and Scotland, he will consider the advisability of putting an end to it in Ireland?

Mr. A. J. BALFOUR: The statement that there has been a saving in the salaries of national school teachers of £34,886 on the grant made by Parliament is somewhat misleading. The amount that would be required for that part of the salary of the teachers which arises from "results" fees is always doubtful. In 1885 and 1886 the amount was under-estimated respectively by £20,000 and £15,000, necessitating Supplemental Estimates. In 1888-9 an amount that would, in the opinion of the Commissioners, both amply cover the ordinary increase in the "results" fees, and obviate the possibility of the Supplemental Vote being required, was asked for, but it appears that they over-estimated the amount of the increase, with the result that more money was asked in the Estimates than actually proved to be necessary. It would seem to be inaccurate to say, as is said in the second paragraph of the question, that a serious falling off in the incomes of the teachers has occurred. The actual amount paid in remunerating the teachers has increased, while the ratio of the total number of teachers to the total amount paid to them shows that last year the average diminution arising out of the exceptional circumstances alluded to has been extremely slight. I say nothing of the grant of £78,000 made by Parliament during the current year. As regards the third paragraph, I have to say that the hon. Gentleman appears to have put it on the Paper under a misapprehension. In England and Scotland the whole contribution of the State was, till last year, in the way of payment by results, whereas in Ireland "results" fees are only employed as a supplement to the fixed class salaries which form by far the larger portion of the teachers' income. I do not think that any sufficient reason has been shown for departing from this system.

IRISH REVISION COURTS.

MR. W. A. MACDONALD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Irish Local Government Board have fixed the remuneration of clerks of Unions for duties performed under the Franchise Acts at £1 for each 100 ratings up to 10,000, and at 10s. for each 100 such ratings over 10,000, together with a sum of 10s. 6d. for each day of their attendance at the Revision Courts, while the remuneration of the poor rate collectors has been fixed at 15s. for each 100 ratings, together with a sum of 7s. 6d. for each day of their attendance at the Revision Courts; whether the duties for which this remuneration is given to clerks of Unions are heavier than those discharged by the poor rate collectors; whether the duties of the latter are at least equally arduous; and whether he can say why this distinction is made between the two classes of officers?

MR. A. J. BALFOUR: The facts are as stated in the first paragraph of the question. The collectors of poor rate act as assistants to clerks of Unions in carrying into effect the duties referred to. Having regard to both the nature and extent of the duties discharged by clerks and collectors respectively, the Local Government Board consider that the former are entitled to be remunerated at a higher rate of payment than the latter, and they framed their order accordingly.

VETERINARY INSPECTOR TO THE BANDON UNION.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Lord Lieutenant has refused to sanction the appointment of Mr. Good, V.S., to the post of Veterinary Inspector of the Bandon Union, to which he was elected on the 21st January last; is he aware that Mr. Good is a veterinary practitioner under "The Veterinary Surgeons Act, 1881," and that his name appears on the Register of Veterinary Surgeons; was Mr. Good approved of by the Privy Council as an existing practitioner, and does such approval entitle him to hold the position of Veterinary Inspector to the Board; and on what grounds has the Lord Lieutenant overruled the election of this gentleman by the Board of Guardians?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to defer the question.

MR. FLYNN: Until to-morrow?

MR. A. J. BALFOUR: I think I shall be able to answer it to-morrow.

IRISH BANK NOTES.

MR. FLYNN: I beg to ask the Chancellor of the Exchequer whether he is aware that the authorised circulation of bank notes by the Bank of Ireland is £3,738,000, whereas the actual amount of notes issued is only £2,709,000; that the corresponding figures in regard to the Provincial Bank are, authorised circulation £927,000, actual amount of notes issued £816,000; and of the National Bank, authorised circulation £852,000, actual amount of notes issued £1,572,000; and whether, if the above figures be correct, the Treasury will cause inquiry to be made with a view to equalise the advantages possessed by banks of issue, and of giving to non-issue banks of approved solvency and position the right to issue notes subject to specified Treasury regulations?

MR. GOSCHEN: I have no doubt that the figures cited by the hon. Member are correct; but, as I stated the other day, I am not prepared, certainly as at present advised, to extend the right to issue notes to the Irish banks who have not that right at present. The situation is the same in England—there are many banks who do not issue up to their authorised amount.

IRISH DISTRESS.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the demand for employment made by the people of the Loughrea and Portumna Unions, in order to assist them in meeting the distress which prevails in those districts, he intends to institute public works in those Unions?

MR. A. J. BALFOUR: The matter is receiving the attention of the Government, but I am not aware that there is any ground for the institution of public works.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the plans for the proposed railway from Macroom to Ballyvourney were submitted to and almost unanimously approved of by the Grand Jury of the County of Cork at the Summer Assizes of 1889 without a guarantee; whether application was made to the Privy Council on the subject; whether the Cork and Macroom Railway Company are satisfied to contribute £20,000 to the cost of the line provided the Government give £40,000, or the company will undertake to complete the line and supply the necessary rolling stock if the Government contribute £40,000; is he aware that much distress and dearth of labour exist in the district, attested by Poor Law Guardians, clergy, and constabulary; and whether any steps will be taken to promote the line of railway in question?

Mr. A. J. BALFOUR: A Memorial containing the statement in paragraph 1 of the question, and praying that the proposed line of railway might be declared as one desirable to be made under the Act of 1889, was received in October last. No financial suggestions of the nature referred to in paragraph 3 were made to the Government; nor having regard to the large sums of money already voted by Parliament, do they feel that this is a case in which they could specially appeal to Parliament for a grant. The state of Macroon Union is receiving attention.

Dr. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what relief works have been started, or proposed to be undertaken, in the Macroom and Millstreet Unions, and in the parish of Donoughmore, County Cork?

Mr. A. J. BALFOUR: No works have been started in either of the Unions mentioned. In regard to the parish of Donoughmore, relief works have been opened within the last few days in the electoral division of Templeomalus.

Mr. MORROGH (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has yet received the resolutions passed by the large public meeting held in Bandon on the 10th instant, which meeting was attended and addressed by some of the most influential inhabitants of Bandon and surrounding districts, of different creeds and politics, one of which resolutions recommended the construction of a light railway to Kilmacsimon Quay for the relief of the present and impending distress; and whether he is prepared to give the matter his favourable consideration?

Mr. A. J. BALFOUR: A letter purporting to forward the resolutions was received two days ago, but the resolutions did not accompany it.

Mr. MORROGH: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a resolution, relative to the present distress existing in the district, passed by the Board of Guardians of the Schull Union on the 10th instant; and, if so, what attention is he prepared to give to the subject?

Mr. A. J. BALFOUR: The hon. Member does not seem to be aware that relief works are in actual progress in the electoral divisions of Schull and Crookhaven. The condition of other portions of the Union mentioned is having attention.

Mr. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received and considered Reports relating to the distress in the Glangevlin and neighbouring districts of the County Cavan; whether he has considered the unanimous resolution of the Enniskillen Board of Guardians declaring the necessity for relief works; whether he is aware that the district pays extra cess for the Cavan, Leitrim, and Roscommon Railway, which is 14 miles off, and is never used by the people, who use the Sligo and Enniskillen line six miles off; whether he is aware that the roads in the district are very few and very bad; and whether, considering the various circumstances of the case, he will take steps to relieve the pressing distress by road-making or otherwise?

Mr. A. J. BALFOUR: The condition of Glangevlin and other neighbouring districts in the Enniskillen Union has received careful attention. There is no reason at present to apprehend the occurrence of severe distress from want of food; but there is a scarcity of fuel in the locality, to meet which the Guardians were authorised a month ago to afford relief in fuel.

Mr. WILLIAM ABRAHAM (Limerick, W.): I beg to ask the Chief

Secretary to the Lord Lieutenant of Ireland whether his attention has been called, by resolution of the Newcastle West and Glin Boards of Guardians, to the destitution prevailing among the labourers and small farmers in the west of County Limerick; if he has caused inquiries to be made; and whether any relief works are in contemplation?

MR. A. J. BALFOUR: The condition of the district in the west of County Limerick referred to is receiving attention. As regards Newcastle Union, the Guardians have been authorised to afford relief in fuel should they deem such a course necessary.

MR. STACK (Kerry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government have decided to accede to the influential local Memorial recently forwarded to Dublin Castle in favour of the construction of a light railway from Listowel to Tarbert, in the County of Kerry, connecting Newcastle and Abbeyfeale with the Port of Tarbert; and whether he has been apprised of the necessity of taking immediate steps, by the opening of some such work as this, to meet the widespread distress which prevails in this part of North Kerry?

MR. A. J. BALFOUR: A Memorial on this subject has been received, and is receiving attention.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, although there are on Tory Island a splendid lighthouse, a Lloyd's signal and telegraph station, a post office and a national school, yet there is not on that island an ordinary pier, or even a boat slip; is he aware that the inhabitants of Tory Island are for the most part fishermen; that frequent movements have been made for the construction of a pier, and that Mr. Hicks, the Local Government Board Inspector, who accompanied him in his tour in Donegal, took bearings for the site of a pier, made reports, and promised his best efforts to promote its construction; and whether, having regard for the present distress and the relief work which might be given in the construction of a pier, he will take steps to procure this boon for the island?

MR. A. J. BALFOUR: I have no doubt that a pier would be useful on Tory Island. But I cannot give any undertaking on the subject.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of a Report of Dr. Sandiford, dispensary doctor, furnished to the Mallow Board of Guardians on 12th inst., setting forth the acute distress amongst the labourers and small farmers of Glountane and Mourney Abbey, and stating that a large number of families are in a "starving condition"; whether the attention of the Government has been called to the distress in this district; and if the Government have sanctioned any relief works or reproductive employment in the locality?

MR. A. J. BALFOUR: The attention of the Government has not been called to the Report in question.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he could state what works under the Relief of Distress Act (Ireland) are now in progress in the Unions of Tuam and Glenamaddy, and what further works are in contemplation?

MR. A. J. BALFOUR: Relief works are about to be opened.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the attention of the Local Government Board in Ireland has been called to a Memorial received and adopted by the Bandon Board of Guardians, and signed by nearly 400 of the principal inhabitants of the district between Crookstown and Enniskeane, which Memorial directs urgent attention to the distress existing in the district, and showing that were the line of light railway constructed between Crookstown and Enniskeane it would prove a great financial success, and provide labour for the starving labourers in the district; whether similar Memorials were received from the Templemartin and the Enniskeane Dispensary Committees, which passed resolutions in favour of the line, which were also adopted by the Bandon Board of Guardians, and duly forwarded to the Local Government Board; and whether any, and, if so, what, steps are being or will be taken to investigate the proposition and carry out the suggested relief work?

MR. A. J. BALFOUR: Memorials have been received, and they are being attended to.

DR. TANNER: Is the right hon. Gentleman aware that reports have been made by the Constabulary and by the Poor Law Guardians, many of whom are Conservatives, as to the absolute state of starvation which exists in this district?

MR. A. J. BALFOUR: As I have already told the hon. Gentleman, I am aware that Memorials have been presented.

THE OCCUPATION OF TOKAR.

MR. J. MORLEY (Newcastle-upon-Tyne): I beg to ask the Under Secretary for Foreign Affairs a question of which I have given him private notice. It is with reference to the military operations in the Soudan. I wish to ask the right hon. Gentleman whether he will be good enough to tell us if the military object of those operations is the permanent occupation of Tokar and Handoub? Have Her Majesty's Government raised any objections to this first step towards the re-acquisition of the Soudan, and is this not a departure from the policy which Her Majesty's Government have hitherto recommended to the Government of the Khedive? I should like to know, also, what new circumstances have arisen to justify that departure?

*SIR J. FERGUSSON: No positive resolution has been arrived at respecting the permanent occupation of Tokar and Handoub, but it is probable that the reasons which have necessitated the occupation will require their retention. The reasons are that the Dervish bands continually harassed and oppressed the inhabitants around Suakin, who are peacefully disposed, raiding even up to the fortifications, trade was constantly interrupted, and the supplies which found their way into the interior were acquired or seized by the Dervishes as the means of hostile proceedings. The Slave Trade was carried on even from Handoub. These places, too, are the only points from which Suakin can be annoyed. It is stated that none of the Dervish troops killed at Tokar belonged to that part of the country. The movement is not at all a departure from the policy heretofore pursued by Her Majesty's Government. They only offered no objection to it on condition that no advance is to be made into the interior, and it is for the reasons I have stated consistent with the principle of maintaining the position of 1886.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): May I ask whether the Egyptian troops employed were Egyptian troops in the strict sense of the word, or black troops?

*SIR J. FERGUSSON: I believe that two of the battalions engaged were black battalions, but they were regular battalions of the Egyptian Army and part of the permanent garrison of Suakin.

MR. J. MORLEY: Are we to understand that no addition will have to be made to the duties of the British troops in Egypt, although there is a permanent occupation of Tokar and Handoub? Are the British troops to advance to Kassala in any circumstances?

*SIR J. FERGUSSON: I stated on a former occasion that no addition will be required to the small British force now in Egypt. I also stated that it is not expected that the garrison of Suakin will require to be reinforced. It is clearly understood that no further advance will be made.

SIR G. CAMPBELL (Kirkcaldy, &c.): Is it not a fact that Tokar is some 50 or 60 miles distant from Suakin, and that the occupation of Tokar involves the occupation of a considerable district?

*SIR J. FERGUSSON: The House will not expect me to go into details; but Tokar is in an oasis peculiarly advantageous as a basis of operations against Suakin. Its occupation is considered necessary for the reasons I have stated.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.

MR. MUNRO FERGUSON (Leith, &c.): May I ask whether the Government intend to proceed with the nomination of the Select Committee on the Private Bill Procedure (Scotland) Bill this evening, and, if so, after what hour it will not be taken?

*MR. W. H. SMITH: It will not be taken this evening, considering the important business on the Paper.

ARMY EXAMINATIONS.

SIR G. CAMPBELL (Kirkcaldy, &c.): The other evening the Secretary of State for War said he would consider whether he could lay before the House the correspondence in regard to making Latin a compulsory subject in Army examinations. Can the right hon. Gentleman give us the result of his consideration?

*Mr. E. STANHOPE: Perhaps the hon. Gentleman will first of all look at the last part of the Report of the Civil Service Commission. He will find there some of the correspondence. Perhaps he will then tell me whether he thinks what he finds there is sufficient or not.

EAST INDIA (CAMBAY DISTURBANCES).

Address—

"For Copies of or extracts from Correspondence relating to Disturbances in the Native State of Cambay."—(*Mr. Burt.*)

PROSECUTION OF OFFENCES ACTS, 1879 AND 1886.

Address—

"For Return showing the working of the Regulations made in 1866 for carrying out the Prosecution of Offences Acts, 1879 and 1886, with Statistics setting forth the Number, Nature, Cost, and Results of the Proceedings instituted by the Director in accordance with those Regulations, from the 1st day of January 1890 to the 31st day of December 1890 (in continuation of Parliamentary Paper, No. 135, of Session 1890)."—(*Mr. Stuart Wortley.*)

DEATHS FROM STARVATION (METROPOLIS).

Address—

"For Return of the number of Deaths in the Metropolitan District, in the year 1890, upon which a Coroner's Jury having returned a Verdict of Death from Starvation or Death accelerated by Privation (in continuation of Parliamentary Paper, No. 373, of Session 1890)."—(*Mr. Talbot.*)

IRISH LAND COMMISSION.

Return ordered—

"Showing (1) the names of the Chief Commissioners, Land Purchase Commissioners, and Sub-Commissioners in connection with the Irish Land Commission on the 1st day of January, 1891; (2) date of original appointment; (3) age on appointment; (4) residence at time of appointment; (5) county or counties in which practical experience of land was acquired; (6) where educated; (7) previous profession; (8) acreage of land farmed; (9) whether held as owner or tenant; (10) what other experience in agriculture; (11) what experience in valuing, mapping, and surveying; (12) salary; in the following form:—

	Name.
	Date of original appointment.
	Age on appointment.
	Residence at time of appointment.
	County or counties in which practical experience of land was acquired.
	Where educated.
	Previous profession.
	Acreage of land farmed.
	Whether held as owner or tenant.
	What other experience in agriculture.
	What experience in valuing, mapping, and surveying.
	Salary.

—(*Mr. Lea.*)

MOTION.

PUBLIC TRUSTEE (NO. 2) BILL.

On Motion of Mr. Chancellor of the Exchequer, Bill for the appointment of a Public Trustee, ordered to be brought in by Mr. Chancellor of the Exchequer, Mr. Jackson, and Mr. Attorney General.

Bill presented, and read first time. [Bill 228.]

ORDERS OF THE DAY.

SUPPLY.

Considered in Committee.

(In the Committee.)

ARMY ESTIMATES, 1891-92.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 153,696, all ranks, be maintained for the Service of the United Kingdom of Great Britain and Ireland at Home and Abroad, excluding Her Majesty's Indian Possessions, during the year ending on the 31st day of March, 1892."

(4.37.) COLONEL NOLAN (Galway, N.): I do not wish to continue my criticism of the speech of the right hon. Gentleman the Secretary of State for War, in which I was interrupted by the adjournment of the Debate the other night, but I wish to draw the attention of the Committee to the fact that there are 7,000 men less in the ranks than are to be voted, and 12,000 men less in the Reserve than are to be voted. I attribute that deficiency chiefly to administration. I think the right hon. Gentleman is holding out false promises to the men who are thinking of enlisting, and the false promise I will particularly draw attention to—that a private soldier will receive 15s. I maintain that a private soldier only gets about 13s. a week. In order that the question of pay might be properly discussed to-night, I addressed a private note to the Secretary of State for War, so that if he thought proper he might be prepared with figures, and might be able to make a statement on the subject. The way I estimate that a private soldier gets only 13s. a week is this: As actual pay he receives 7s. a week. 1s. 2d. a week is put down to his credit for deferred pay, but 1s. 2d. a week deferred for seven years or three years is not worth more than 1s. a week. So that altogether he gets 8s. pay. From a statement once made by a Financial Secretary to the War Office, I know that a private soldier gets 3¼d. worth of meat a day. The value of bread supplied him may be estimated at 1d. per day; so that in rations he gets 4¼d. a day. I see the Secretary of State shakes his head. The soldier's rations were formerly valued at 4½d., but there is no doubt that the price of meat and bread has declined. In pay and rations a soldier receives 10s. 6d. a week. Lodging I put down at 2d. a day. Barrack accommodation, fuel, lighting, and bedding cannot be put down at more than 2d. a day. Soldiers sleep 14 in a room, and it is evident that under such circumstances there is great economy. The clothing of a soldier I value at £2 12s. a year, or 1s. per week. That is the extreme outside price. The Secretary of State will say a soldier's clothing costs more than £2 12s. a year, but if so the soldier does not get greater value than that. You wish a soldier to look smart, and yet you wish him to sleep in the guard room in his good clothes. When all these items are added together they come to 12s. 8d. I allow 4d. for contingencies, making in all 13s. It is said the soldier receives medical attendance, but I believe that in England for 3d. a week a man cannot only get attended to by a doctor, but can obtain attendance for his family and also get an allowance when he is sick. Therefore, medical attendance I really put down as little or nothing. I want the Secretary for War to point out where I am wrong in my figures. The stoppages from a soldier's pay are very considerable. The fines alone form large deductions. The soldier gets fined not only when he is drunk at his work, but when he is drunk, although not on duty. Of course it is not a proper thing to have drunken men in barracks, but an ordinary workman does not get fined for returning home drunk at night as a soldier does. The Secretary for War says a soldier gets as much as 15s. a week; and I would ask him to enter into such details as will prove that he is right and I am wrong.

*(4.49.) THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Horncastle, Lincolnshire): I am afraid I cannot agree with my hon. and gallant Friend that this Committee is the best body to ascertain exactly what are the facts of such a case. The hon. and gallant Gentleman, of course, has large technical knowledge on this subject, but I am bound to tell him that those whom I have consulted also have very large technical knowledge with reference to it. I admit that there must always be a difference of opinion as to the precise amount received by the soldier, but the statement we put in the placards is founded on the best information we could obtain. It was first published before I was responsible for it, but I have seen nothing to lead me to modify it. The 15s. a week is based upon a general estimate. The rations are taken at 3s. 6d.

COLONEL NOLAN: Oh, no!

*MR. E. STANHOPE: Well, it is a matter of opinion, and I am afraid we must agree to differ. The lodgings in which we include fire, lighting, and bedding we place at 2s. 6d., and the clothing we place at 2s. The 15s. does not include the deferred pay, the uncertain amounts which a soldier may receive according to his conduct, or any valuation for the amount of medical attendance or casual earnings. Although I am afraid it is impossible to satisfy the hon. and gallant Member, all I can say is that other people have formed a totally different estimate from his, and I can see no reason whatever for differing from their opinion.

(4.52.) COLONEL NOLAN: I am very glad I have drawn this statement from the right hon. Gentleman. I may point out that, whilst I have expressed my own opinion, the right hon. Gentleman has not said he has gone into the question himself, nor has he named one of the advisers upon whose opinions he relies. I think he should state who those authorities are. I am glad that the matter has not been reduced to such a small compass that I can say positively that the right hon. Gentleman overestimates the rations by something over 1s. a week. As regards the lodging, it must be a matter of opinion on the part of the soldiers and of ordinary workmen whether a bed in a room which is occupied by 14 men is worth more than 1s. 2d. a week. I certainly say that a bed of such a kind could be easily procured by contract for 2d. per night. As regards the clothing, the greater part of the clothes served out are of no use to the soldier, and an ordinary workman would be able to get as good and warm and very nearly as smart clothes for £2 12s. a year.

*(4.56.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): There are one or two very broad observations I wish to make with regard to this Vote. I am sure we all listened with great pleasure to the statement of the right hon. Gentleman the Secretary for War in introducing the discussion. With regard to the point alluded to by the hon. and gallant Gentleman (Colonel Nolan), the right hon. Gentleman gave the most explicit information the other night from the point of view of the interests of the private soldier. As to the special Vote before us for 153,696 men, I confess I always feel a considerable amount of sympathy with any Secretary for War. I think his difficulties are enormous. He is suddenly put at the head of a great spending Department which has many ramifications; his responsibilities are great, and it is obvious it must be a long time before he can master the details of his work. By the time he has mastered the details of his Department I think it will be found that the officials of his Department have mastered him. I wish to point out once more that the form of the Estimates and the procedure of this House render it quite impossible to discuss, adequately, the question before us. We can only take it in bits. The actual number of soldiers of sorts on the Estimates is 707,242; but as 553,546 are distributed under other Votes, we are forbidden to deal with them now, so that we are only dealing with a very small proportion of the total Military Force on the Estimates. We are asked to vote 153,696 men when the Estimates actually provide for a number of soldiers amounting to nearly three-quarters of a million. They are supposed to be for the defence of the Empire. We are further precluded from taking into account the 150,000 native troops in India, and the regular and auxiliary troops scattered throughout the Colonial Empire. So really we are taking the Vote for a small fragment of the Military Forces of the Empire. Further, let me say that the Army as a purely Military Force is intended to defend British territory against the possibility of purely military attack; and with the exception of the frontiers of India and Canada, there is no part of the Empire open to military attack except by sea, and thus the possibility of attack and amount of force required to resist it, becomes a naval question which we are not allowed to discuss, and, therefore, we have to vote this number of men absolutely in the dark. We are not allowed to refer to those reasons which would fix the military standard of required strength, and so I think this stage of Committee on the Army Estimates should either be enlarged in the scope of its discussion, or it might very well be dispensed with altogether. We have to look on this Vote wearing Parliamentary blinkers; we must not look to the right, where lies the naval question, nor to the left, where are the Indian and other Forces. Some of the statements of the right hon. Gentleman on introducing these Estimates are germane to the

observations I have ventured to offer. I find the right hon. Gentleman said—

> "We have taken stock of all our available resources, and after making full provision for the garrisons of our ports and coaling stations at home and abroad, we are organising the remainder of our Force into an Army of defence."

Well, so long as I have been able to follow military and naval Debates in this House, it has been the usual statement from the Minister that "we are organising," and so long as we have to approach the discussion of military and naval policy by bits, so long we shall go on organising, so long will it be impossible for a Minister ever to say, "We are organised." With regard to this, I will ask the right hon. Gentleman to say when he replies later, are we to understand from his statement, that before taking stock of our military resources the question was not asked: What are the existing resources for purely local defence, and are they or are they not in excess of our requirements? I think that so long as our first line of defence, the Navy, is sufficient to protect commerce in the Channel no great attempt at invasion can possibly take place. That is the determining factor as to the nature, number, and amount of our Military Force, and that over 500,000 men in England for nothing else than resisting a military invasion is scarcely necessary. Our method of procedure has been upon these lines. First you take the available military resources and say these have been created, they exist, and then, without inquiring how they came into existence, or whether they are wanted, we provide for real military necessities and then find a remainder of 500,000 men, unappropriated, so they are organised into an Army of defence. There is another passage in the right hon. Gentleman's statement to which I must refer. He said—

> "On the occurrence of an emergency, troops mainly drawn from the Regular Army, forming the first line of defence (that is the first line of defence against invasion), will concentrate at the appointed stations all situated at important railway junctions enabling them to be transported with the least possible delay to the threatened districts."

Now, I do wish humbly to protest against a phrase which may come to be generally adopted when applied to the Army in the United Kingdom, that it is the first line of defence against invasion. We have always considered the Navy the first line of defence for this Kingdom.

*MR. E. STANHOPE: Really, I think I made my meaning perfectly clear; what I meant, of course, was the first line of military defence—of Army defence.

*SIR JOHN COLOMB: That is to say the first line of defence supposing your Navy broken down.

*MR. E. STANHOPE: Yes.

*SIR JOHN COLOMB: I take this explanation that the Regular Army is, according to the passage in the right hon. Gentleman's speech, the first line of defence supposing the Navy broken down. But then I think we are adopting an entirely new principle in our military policy. The Regular Army is for the general service of the Empire. You cannot limit it and tie it down to be the first line of military defence at home, and observing that it is only in India and Canada that there can be a great military attack delivered, so long as your Navy is sufficient, then the Regular Army should be available as hitherto for service abroad. I have felt it incumbent upon me to make this protest. The more I consider the whole matter the more am I satisfied that until the House is placed in a position by the alteration of its forms to discuss the principles upon which the strength of the Army is to be founded, at all events for one night in the Session, so long shall we have waste and inefficiency, and so long will we be without that safety the Empire demands.

(5.10.) THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I do not propose to follow the various statements made by the right hon. Gentleman the Secretary for War on Thursday. I will only add the expression of my opinion to that of the hon. and gallant Gentleman as to the extreme clearness and ability which marked those statements, and the important nature of some of the information laid before the Committee. But I think, perhaps, it would be convenient on this occasion, if I were to ask the right hon. Gentleman to take this, or some other opportunity he may consider more desirable, for giving to the Committee some further information as to the steps taken by himself and other Members of the Government, to carry out suggestions made by the Royal Commission appointed to examine the organisation of the Military and Naval Departments, of which I had the honour to be Chairman. The right hon. Gentleman told us last year that upon some of the recommendations contained in that Report the Government would take further time for consideration, and I do not think that any member of the Commission objected to that, considering the extreme importance of the matter; but we should be glad to know whether that further consideration has now been given, and in what conclusion, if any, that consideration has resulted? There were, however, certain of the recommendations of the Commission which the right hon. Gentleman said were to be acted upon at once. The Commission recommended the constitution of a Naval and Military Council of a certain composition. The right hon. Gentleman made some criticisms upon the precise form of their recommendation, and stated that the Government had come to the determination to constitute within the Cabinet itself a Naval and Military Council, the decisions of which were to be kept on record for the information, not only of themselves, but also of their successors. I think it is desirable that we should know whether that Council within the Cabinet has been appointed, whether it has met, and, as far as the right hon. Gentleman is able to tell us, whether any progress has been made in the consideration of the questions which induced the Commission to recommend the appointment of such a Council. Perhaps it is desirable that I should once more recall the nature of the questions in view of which we recommended the appointment of a joint Naval and Military Council. In the seventh paragraph of our Report we say—

> "The first point which strikes us in the consideration of the organisation of these two great Departments is, that while in action they must be to a large extent dependent on each other, and while in some of the arrangements necessary, as a preparation for war, they are absolutely dependent on the assistance of each other, little or no attempt has ever been made to establish settled and regular inter-communication or relations between them, or to secure that the establishment of one Service should be determined with any reference to the requirements of the other."

Further we state—

> "It has been stated in evidence before us that no combined plan of operations for the defence of the Empire in any given contingency has ever been worked out or decided upon by the two Departments; that some of the questions connected with the defence of military ports abroad, and even of those at home, are still, after much Departmental correspondence, in an unsettled condition, and that the best mode of garrisoning some of the distant coaling stations is also unsettled."

My right hon. Friend stated last year that in his opinion the amount of friction to which reference has been made has been very much exaggerated, and that there was no cause for serious misunderstanding in the working of the two Departments. Now I have explained that the result of the investigation we had had to make, was that the friction actually existing in the operation of the existing system of the Departments was not the main defect to be guarded against. I quite agree that the amount of friction which actually occurs may not be serious, but the question which arises is whether that friction is not avoided by leaving some of the most vital questions in abeyance in the unfounded confidence that every difficulty that might become serious will resolve itself when necessity arises. As we say in our Report—

> "There does not appear to us to exist sufficient provision for the consideration by either Service of the wants of the other. It seems to be assumed, without adequate ground, that each will be, in time of need, prepared to give the assistance essential to, or highly necessary for, the efficiency of the other; and there is a want of such definite and established relations between the Admiralty and the War Office as would give the opportunity to either Department of calling the attention of the other to the condition of the establishments and preparations in which it is vitally interested."

If that is a correct statement of the state of affairs, it is quite possible for there to be very little friction in the action of the two Departments, and yet some of the most vital questions essential to the efficiency of both, but which it is nobody's business to raise, might be left in a most uncertain condition, and cause, in time of trial, friction of a very dangerous character. What I think the Committee have a right to know is whether the appointment of this Naval and Military Council has been made, and whether any progress has been made towards a satisfactory solution of what is described in the Report of the Commission—and I know it was the unanimous opinion of the Commissioners—as an "unsatisfactory and dangerous condition of affairs." If any consideration has been given to these matters, it is not, I am bound to say, apparent on the face of the Army Estimates. The Navy Estimates have not, I believe, yet been presented to the House. Very few changes in the Establishments seem to be made in the present Estimates, either in the whole or in relation to the various branches of the Service. If that is due to the fact that the examination of the questions I have referred to has resulted in the opinion being formed that our Military Establishment is adequate to the wants of the Empire, and that the Army is efficient in itself and capable of giving the Navy support in time of war, and that the same statement can be made with regard to the Navy, that no doubt will be a highly satisfactory statement for the Committee to hear; but in the absence of a positive assurance to that effect, I hardly think we can assume so much, and I think the Committee require further information. I am bound to say that in my opinion this thorough and harmonious communication between the two Departments will never be established by the constitution of any Naval and Military Council, within or without the Cabinet. I believe it can only be practically attained by certain administrative changes which the Commission recommended. I believe it is necessary that in each Department highly - trained professional officers should be appointed, who would be free from all administrative or technical work to a very great extent, whose chief duty would be to give responsible advice to their respective Ministers on questions of policy. I believe that the appointment of the officers recommended by the Commission, the First Naval Lord and the officer whom we designated the Chief of the Staff, would be the means of establishing that thorough and free communication between the two Departments which I think does not at present exist. These officers would, from the nature of their duties, be in constant communication with each other, through them all questions of common interest and importance to each Department would be presented to their respective chiefs, and those questions would be raised and decided in a manner that would prevent the possibility of that misunderstanding which I fear now exists. That, in my opinion, affords the only true solution of the difficulty. But I fully admit that, until the Government are in a position to give further consideration to the carrying out of the recommendations of the Commission in this respect, a good deal might be done by the Naval and Military Council, which we have been informed is to be appointed. I wish also to ask my right hon. Friend whether any progress has been made towards the adoption of the recommendations of the Commission for the re-organisation of the Department over which he himself presides—the War Office. The Secretary of State last year very properly took time to consider what he described as the far-reaching and drastic recommendations of the Commission, and I think the time has arrived when we may ask if any progress has been made in that direction. But one of those recommendations my right hon. Friend said he was prepared to carry out at once, and he undertook to constitute a War Office Council in a more formal manner. He undertook to secure freedom of discussion in that Council, with a formal record of its proceedings. We are, I think, entitled to ask whether that Council has been formally constituted, and whether any practical benefit has resulted from it, whether there has been any result as affecting the Estimates, and whether any responsibility for advice has been placed on that Council; or whether still, as in times past, the Commander-in-Chief is the only official in the War Office to whom the Secretary of State is entitled to look for advice on questions of magnitude and importance. In the 73rd paragraph of our Report it is pointed out that all responsibility for administration is practically, under the present system, concentrated upon the person of the Commander-in-Chief, and we suggest that a definite and direct responsibility to the Secretary of State should be placed upon the heads of Departments. We have pointed out in the Report that the only responsible adviser of the Secretary of State is the Commander-in-Chief, who has a multitude of other duties to perform. I think an instance will show better than anything else the state of things to which we were endeavouring to call attention when we made that recommendation. The Commission considered that there was no real power and responsibility placed upon any of the so-called heads of Departments in the War Office, except upon the Commander-in-Chief. For instance, with regard to the magazine rifle, my right hon. Friend, in the course of the Debate the other night, made two statements which appear to me to be, to a great extent, of a conflicting character. My right hon. Friend's first statement was that up to recent times—

> "Soldiers have had too little control over the weapons placed in their hands, but now the primary responsibility for the weapons of the Army rests with the Army itself."

The statement seems to me to require a little examination. What is the exact meaning my right hon. Friend attaches to his words? The Staff and regimental officers have nothing more to do with their weapons now than formerly. The statement must be taken to mean that there is at the War Office some representative of the combatant branches of the Army, presumably the Commander-in-Chief or the Adjutant General, who has a voice in the selection of weapons. In that way it might be said that the Army has a primary responsibility for its weapons. But my right hon. Friend went on to say that the Director of Artillery is the officer primarily responsible for recommending the new rifle. In my opinion, the Director of Artillery is not a representative of the Army at all. He is chosen, I believe, and I think he ought to be chosen, not as the representative of the combatant forces of the Army, but because of his special and scientific knowledge of questions relating to that arm of the Service. It therefore seems to me that the two statements of my right hon. Friend are not easily reconciled. If the choice of the new rifle really rested with the Commander-in-Chief or the Adjutant General, then it might be said, in some sense, that the Army, through its representatives, was responsible for the new weapon; but if, as we were further informed, the primary responsibility rested upon the Director of Artillery, then I am unable to see that the Army has anything more to do with the choice of the new weapon than it ever had in former times. That view seems to me to be somewhat confirmed by the rest of the speech of my right hon. Friend. He said, in the course of his speech, as to the rifle, a great deal about the recommendations of Committees, and the opinion of the weapon given by certain experts, even by certain members of the Volunteer Force, and he quoted the opinion of the Director of the Ordnance Factory. He went very fully into the merits of the rifle and the cost of it. He made the statement which I have read as to the responsibility of the Director of Artillery for recommending the rifle, but in the whole course of his observations I do not find reference to the opinion of the Commander-in-Chief or the Adjutant General, who alone—so far as I can see—of the officials of the War Office can be said to represent the combatant Forces, or the opinion of the combatant Forces in the choice of the weapon. The Director of Artillery is appointed, and no doubt ought to be appointed, for his practical and scientific knowledge on questions of armaments. But what the members of the Commission felt, and what I desire to point out, is, that under the present system no real and direct responsibility rests on the Director of Artillery or any other so-called heads of a Department. The Director of Artillery is, under the present system, merely a subordinate member of the Military Department under the Commander-in-Chief. In estimating the relative positions of the members of the War Office administration some regard must be had to the importance of those positions as measured by the amount of salary attached to them. A slight examination of the Estimates will show that the Director of Artillery is not only not in an independent position as the head of the Department, but that, relatively, he is not a highly placed member of the Department of the Commander-in-Chief. In the Military Department, the head of which is the Commander-in-Chief with £6,000 a year, there are a Military Secretary with £2,100 a year, an Adjutant General with £2,700, four Deputy Adjutants General at from £1,700 to £1,500 a year, an Inspector

General of Fortifications with £2,100, a Deputy Inspector General of Fortifications with £1,700, and, finally, the Director of Artillery, with a salary of £1,500; so that the position of the Director of Artillery in the official hierarchy appears to be on a level with that of a Deputy Adjutant General, and below that of the Deputy Inspector General of Fortifications. In my opinion nothing is gained by placing the man who is really responsible for a decision of this kind under a military chief whose scientific knowledge must, presumably, be inferior to his own. I might say the same thing with regard to the Inspector General of Fortifications, the officer in charge of the Commissariat, and others. I say I think it is a false principle that these officers should not be made directly responsible to the Secretary of State for the discharge of the important functions with which they are entrusted, but should be, nominally, placed under the control of a single military head. Referring, again, to the case of the selection of the new magazine rifle, it appears to me that it would be infinitely preferable that the duty of primarily and finally recommending the adoption of a particular arm should rest upon the Director of Artillery without the interposition of the responsibility of any other authority between him and the Secretary of State. Let the Military Authorities by all means examine the arm placed in their hands, let them conduct any series of experiments, let them test their new weapon, let them make any Reports they consider necessary, and let those Reports and any remonstrances they may have to offer be referred to the Director of Artillery; but let him be the person who has the final word with the Secretary of State, and who, having considered the whole matter, shall, on his sole and undivided responsibility, make his recommendation to the Secretary of State, so that the public may know who there is in the Department, under the Secretary of State, who will bear the whole responsibility for the efficiency or inefficiency of a weapon served out to the troops. The present system seems to me to lead to a confusion of duties and devolution of responsibility. If the Director of Artillery has anything to do with the trials and tests to which a new arm is subjected, the responsibility of

the Director of Artillery for passing what may be a defective weapon is diminished. And if the combatant officers take any part in recommending mechanical alteration in a new arm, so far, in my opinion, the responsibility of the Director of Artillery for that which ought to be his business is weakened and diminished. In addition to the present system of accumumulating a vast amount of duties upon the Commander-in-Chief and the Adjutant General, it is impossible for any man to cope with a distribution of duties which is unsound in itself. Take the case of the administration of a great railway. The engineers and directors of the rolling stock occupy a position analagous in military administration to those who occupy themselves with fortifications and guns in the Army; but I do not think any Railway Board would dream of placing the management of the factories or workshops, nominally in the hands of the traffic manager, though undoubtedly he is the person—like the combatant branches of the Army—who is most interested in the efficiency of the rolling stock. I do not think a Railway Company would be of opinion that it would get the best result by giving to a traffic manager either the real or nominal responsibility for the management of their factories or workshops. I do not wish to detain the House, but I think I must point to another instance of the inconvenience of the present system of apportioning duties. The right hon. Gentleman the other night made an important statement as to the progress made with the scheme for the mobilization of the Army. Now, I should like to ask who does the right hon. Gentleman hold responsible to himself for that scheme, upon which the safety of the Empire may, in a possible contingency, depend? It is, of course, impossible for the Secretary of State or any civilian to make himself personally responsible. But there ought to be some individual at the War Office whom he can hold personally responsible. I doubt very much whether, under the existing system, there is any individual who is directly responsible. If I am not mistaken, the head of the Intelligence Department is, jointly with the Commander-in-Chief, responsible; but it is impossible for the Commander-in-Chief, with his many other duties relating to drill, discipline, recruiting, instruction, and training of the Army, the selection of officers, and other such matters—it is absolutely impossible for the Commander-in-Chief to be held personally responsible for the details of any such scheme as this. It is also extremely improbable that the Adjutant General, with his many other duties, gives any real detailed examination to the mobilization scheme. This is a matter which ought to be confided to some officer who would be rightly described as Chief of the Staff. If such an officer were appointed he would then be absolutely and personally responsible, and his professional prospects and reputation would be at stake. There are several distinct departments of the War Office—such as the men, armaments for fortifications, the weapons placed in the hands of the troops, the commissariat, supplies, transport and finance—all these are administered under the Secretary of State, and have broad divisions. I think there is nothing gained by placing all these matters, between which there are broad and distinct divisions, under the nominal charge and supreme control of a military officer whose position and duties are such as to not unnaturally lead him to devote his time and attention to the more personal branch of the Service. I hope that the Secretary of State will state his views on these important points with regard to military organisation. Possibly a more convenient opportunity than the present may be found on the Vote for the War Office itself, but as it is uncertain when that Vote will be reached, I have thought it desirable to make this statement now and to call attention to certain matters which appear to me to be of very great importance.

*(5.50.) MR. E. STANHOPE: I think the noble Lord opposite must have forgotten a good deal of the Report of the Commission over which he himself presided. The noble Lord appears suddenly to attach extreme importance to this Naval and Military Council, but in the Report for which he is responsible the utmost which he could bring himself to say was that there might be some advantage in the formation of a Naval and Military Council. The Report says how the Council should be formed and what it should be summoned for. The recommendations of the Commission on this subject have not been overlooked by the Government. In the first place, the opportunity has been taken in the Cabinet of assembling together in Committee for the consideration of questions affecting the Army and Navy, not only those who are responsible for the two Departments, but those connected with other Departments of the State who may be indirectly interested. The decisions which have been come to are very important. Certain out-standing questions between the Army and Navy have been settled, and much has been done to facilitate the working of both Departments. Something has also been done with regard to matters of detail, which could not well be brought before a Committee like that to which I have referred, composed of very busy heads of Departments. We have felt it necessary to have a better system of inter-communication between the Army and the Navy, especially with reference to questions of defence. Accordingly, the old Defence Committee—which my noble Friend will remember, having himself been at the head of the War Office—has been abolished. That Committee only met on rare occasions, and was a very unsatisfactory body for deciding outstanding questions between the two Departments. Instead of that Committee we have established a much smaller body, consisting of some of the highest military officers under the Commander-in-Chief, and of some of the highest naval officers, who have already met together on several occasions, and who consider from the point of view both of the Army and Navy all questions of defence. Primarily they take, of course, the view of the Navy with regard to the points of defence and the amount of defence required, and then they discuss together the best manner in which that defence can be carried out. In this Committee, therefore, we have a permanent means of communication between the Army and Navy upon questions of defence. If in the course of the Committee's discussions questions arise involving some great principle, they are, of course, referred to the Committee of the Cabinet to be dealt with. Thus the consideration both of questions of principle and of questions of detail is provided for, and we hope that all the larger questions that involve points for argument between the Army and Navy will gradually be settled satisfactorily. The noble Lord has pointed out that the

Commission over which he presided, recommended very great changes at the War Office, but he has failed to draw attention to the qualifications to that recommendation. My noble Friend will remember that the Commissioners, while recommending certain changes in the War Office administration, stated that they were not prepared to say when would be the proper time for carrying out those changes. There was no recommendation by the Commission that the office of Commander-in-Chief should be abolished during the tenure of the present occupant of that post. They did recommend, there being one dissentient, that upon the occurrence of a vacancy the office should be abolished, and the organisation which they proposed should be substituted for it; but they frankly recognised the unique position of the present Commander-in-Chief, the long services which he has rendered to his country, and his great experience. I have already told the Committee that we are not prepared to state what changes we propose to make upon the occurrence of a vacancy in the office of Commander-in-Chief. We do not think we should be justified in throwing down into the arena of public discussion any proposals on the subject. I have been censured by the noble Lord in somewhat severe terms because I have not intimated that the changes suggested by the Committee can be carried out. I have only to say that when the Report of the Commission was brought before the country the Government were, I think, perfectly justified in waiting for some little time to see the general drift of opinion with reference to the changes proposed. As the noble Lord will admit, the public took no notice whatever of the Report, with the exception of one influential newspaper, to whose opinions no doubt great weight must be attached. With that exception, no notice was taken of the Report by the public, and I think the explanation is to be found in the recommendation of the Commission that the changes should not be introduced until a vacancy occurred in the office of Commander-in-Chief. We certainly have not been encouraged to believe that public opinion would have been with us if we had favoured the retirement of the Commander-in-Chief, and the immediate introduction of the changes recommended. We knew, at any rate, that there would have been enormous opposition to any such proposal from the Army generally, and until they knew that they would be supported by the great mass of public opinion outside the ranks of the Army, I am sure no Government could possibly have moved in the direction indicated. It was not recommended that we should call for the retirement of the Commander-in-Chief, who has, I believe, done great service to the country, and is worthy of retaining the high place he fills. We accept the Report of the Commission with the most perfect good faith, and when the fitting occasion arrives we shall be perfectly prepared to communicate the nature of the changes which we think it will be well to introduce. With regard to the observations made by the noble Lord as to the position of the Adjutant General, I may say we have found it absolutely necessary that the Adjutant General, who is the chief Staff officer of the Commander-in-Chief, shall be as far as possible relieved of some of his routine duties in order that he may be enabled to devote a greater portion of his energy and ability to the larger question of Military administration. My hon. Friend also asked, with reference to the mobilization scheme, the person who is responsible for it. The person mainly responsible is the Adjutant General, who selects officers to work under him. The Adjutant General is responsible to the Commander-in-Chief, and he is the man I look to as primarily responsible for the scheme of mobilization and everything connected with it. And he, of course, calls upon the officers he has selected to accept their share of the responsibility. My hon. Friend has also asked what we have done in other respects. We have established a War Office Council in pursuance of an undertaking which I gave in a former speech. It consists of Civil and Military officers, and meets at the War Office. The fullest freedom of discussion is allowed every member of the Council, who is absolutely entitled to bring forward with notice anything he thinks necessary. There is perfect latitude of discussion, and, as President, I call on every member to express his opinion; and having heard the views of the various members, I am in a position to form an opinion, for which I am responsible to this House. I look to every member of the Council for individual responsibility for the opinion he gives; and it is from these responsible opinions I am able to form the judgment which I present to the House. Then my noble Friend spoke, in connection with the new rifle, as to the position of the Director of Artillery, who, he said, was insufficiently paid, relatively to other officers. That, I dare say, is so. I should be very glad to provide a larger amount of renumeration for an officer who is doing his work so admirably as the present Director of Artillery. But I would remind my noble Friend that no change of that description ought to be made without giving full consideration to the remuneration attaching to all the other officers in the War Office. I am quite confident I would not be justified in simply asking the Treasury to raise the salary of a particular officer without asking that the salaries of other important officers at the War Office should be re-considered as a whole. My noble Friend said a great deal on the subject of the Director of Artillery. That officer in his time was under purely civilian control. What was said by the heads of the Army was that they had no responsibility whatever with regard to the weapons issued to the Army. I said—and I believe now that the country is entirely in agreement with what I said—that this was a most unsatisfactory proceeding. The Director of Artillery, purely subject to civilian control, was the person who chose the weapons issued to the Army. For my part, I think that although you continued to place on the Director of Artillery the primary responsibility for the choice of weapons, the Secretary of State ought to be fortified by obtaining the opinion upon the Director of Artillery's recommendations, of the heads of the Army, of the Adjutant General and of the Commander-in-Chief, so that the Army may know, before the weapon is chosen, that the heads of the Army had been allowed the fullest opportunity of expressing their opinions to the Secretary of State, before he decides to adopt any recommendation of any subordinate officer. I believe that change is satisfactory to the Army, and, so far as I can judge, from what I hear in all directions, it is already appreciated to a very large extent. The noble Lord has asked me with regard to other changes which we have been able to introduce into our administration. The other evening I brought before the House a most important change, though for some reason, perhaps that I had spoken so often that the reporters were tired, an adequate Report was not given of that portion of my speech. I refer to the establishment of a Promotion Board. I explained to the Committee the position in which we are now placed. Officers will not be promoted in future to the rank of colonel except by selection. I also explained that under the New Warrant no colonel, after a certain interval, could be promoted to the rank of general except by selection. Now, the position would be this: take the case of a lieutenant-colonel: Officers who have completed the term of regimental command or Service on the Staff could be placed on half pay, unless they elected retired pay; but as we recognise the injustice of retaining such officers on retired pay unless, in the opinion of the authorities, they had a reasonable prospect of obtaining employment on promotion, we only thought it right that they should be informed, as soon as they reasonably can be informed, that they are not likely again to be offered employment. It was for this purpose in the first instance that the Promotion Board was constituted, and it was decided after full consideration that the Promotion Board should be altogether independent of the War Office or of the officials of the War Office—I mean, of course, the Adjutant General, the Military Secretary and the Commander-in-Chief and his Staff, who will, of course, have to exercise the highest functions in cases of difficulty, and when considering the recommendations of the Promotion Board. In some cases they will have to act as a sort of Court of Appeal against some of the recommendations of the Promotion Board. But we thought it would command confidence if the primary recommendation came from the Promotion Board, and if the promotion could be made by officers who had nothing whatever to do with the War Office itself, and who were in close touch with the officers from among whom selections were to be made. The Board of Promotion, therefore, is constituted of five general officers. Three of them will be the senior officers in command in the United Kingdom, and the other two will be general officers taken from the particular arm of the Service from which the selection is to be made. That is to say, if you are going to select Cavalry officers or Infantry officers you will have general officers of Cavalry or general officers of Infantry, as the case may be. By that means every arm of the Service will have thoroughly fair play, and the Board will consist of officers of the largest experience, and who are in intimate touch with officers in all parts of the country. We have laid down as an absolute condition that the General commanding at Aldershot, who is in touch with so large a portion of the Army, and through whose hands so many officers pass, should have a seat on the Board. With regard to the proposed working of the Board, we desire that it should not decide hastily upon the rejection of any officer; and if among the members of the Board there is inadequate information with regard to any particular officer, they are especially directed to adjourn the meeting and to call for any information they may think necessary—for any confidential Report—in order to enable them to arrive at a fair conclusion with regard to that officer. I may also add that it is our desire, so far as selections are going to be made for the rank of colonel, that seniority shall be considered in order to avoid supersession. Though the special requirements of the Service may occasionally necessitate supersession, I think that the establishment of the Promotion Board amply meets the pledge already given to the House on the subject, and I think it is an arrangement which will have the confidence of the Army. It is one devised with the sole desire of ensuring that the selections shall be fair, and that every officer, whether he has been on foreign Service, or whether he has not, shall be considered fully on his merits, and not be rejected or debarred from future promotion, except after his whole acquirements and merits have been thoroughly investigated by a competent tribunal.

*SIR JOHN COLOMB: Do the right hon. Gentleman's observations apply to officers of Artillery and Engineers as well as to Infantry and Cavalry?

*MR. E. STANHOPE: Certainly, Sir. Of course, two extra officers of Artillery or Engineers would be appointed where officers in those branches of the Service were to be considered for selection. I think I have dealt, though inadequately, I feel, with the points raised by my noble Friend. I am perfectly conscious, of course, that the scheme of Army administration sketched out by the Commission has not been carried out, but I have explained the circumstances which have withheld me from making any further recommendation. I certainly for the present am not prepared, and the Government are not prepared, to make further recommendations upon the substantial points to which the noble Lord has referred, and which may hereafter form the main basis of a re-organisation of the War Office. Before sitting down I will reply to some of the criticisms of my hon. and gallant Friend (Sir J. Colomb), who I think has done some injustice to me in reference to the statement I made on Thursday last. I then endeavoured to explain to the House the reasons why we asked for the number of men named in this vote. I told the House in a somewhat unusual, but I hope perfectly frank way, why we asked for so many men for the Artillery, so many for the Infantry, and so forth, and if my hon. and gallant Friend had any criticism to offer on the statement I then made, and the reasons I gave as to why we came to those decisions, I am surprised that he did not take advantage of his opportunity. The hon. and gallant Gentleman has told us that we are always organising, and that it is impossible to say when we shall cease to organise. Well, Sir, I hope we never shall cease to organise; but that we shall go on making improvements from year to year. In fact I cannot imagine when the time is likely to arrive when we in this country, would be wise in saying, with regard to the Army, we think we should go no further. No foreign country stands still. Why, therefore, should we do so? What we have done has been to lay down to the best of our power the functions which the Army ought to perform in time of War, and we have also to the best of our power allotted to their several stations and functions the different arms of the Service, which we deem suitable for those stations and functions. When my hon. Friend says we have not taken sufficient account of the Navy, I would point out to him that the very foundation of what we are doing, is that we have organised our defensive forces on the idea, and under the supposition that our Navy has been defeated, and that the invasion of this country has been rendered possible. If we did not regard invasion as possible what would be the good of keeping up our Volunteer Force? We might in that case get rid of them altogether and undoubtedly we might otherwise largely diminish our military expenditure. But that is not my view at all, and I am sure it is not the view which prevails throughout the country. The people of this country are not at all disposed to get rid of the Volunteers, and for my own part I regard them as constituting a most valuable auxiliary body which it is very desirable to retain in case its services should ever be needed. I cannot, therefore, concede what appears to be the view of my hon. Friend that it is to be assumed as a self-evident proposition that the defeat of the Navy of this country is absolutely and entirely impossible. My hon. and gallant Friend has asked whether we are satisfied that our present military resources for the purposes of purely local defence are not in excess of our requirements. That I may say is a matter to which we have given the most careful consideration. I presume my hon. Friend refers in particular to garrisons of ports, and I think that in this respect it may be that we have provided too large a force in former years. We have, however, carefully gone over every garrison required for defensive purposes in every part of the world, and in doing so we have assigned so many men to every gun; and I am bound to say, that in the statement I have made, instead of making any excessive provision we have, if anything, provided for rather less than would be absolutely needed for the purpose of defending every gun in position, and what is more, for every gun that may be required. I do not think much more need be said as to the criticism of my hon. Friend with regard to my speaking of the first line of defence. Everybody knows that in what I have been talking of I have not been alluding to the Navy. After the Navy is defeated the first line of defence is the Regular Army. With regard to the scheme of mobilisation of which I spoke but briefly the other day—and as to which one of the main criticisms passed on what I then said, was that I spoke too briefly and did not enter sufficiently into detail—I should like to say that during the last two years I have spent a great deal of time in this House in trying to explain fully the principles on which we mobilise our Forces. I have not yet heard one word of criticism as to the principles we have adopted. Indeed, those principles have been generally accepted by the House, and we are encouraged to persevere in them. I am not going to explain those principles to the House at any great length, but rather to tell the House very shortly the extent to which we have advanced in their application. The scheme that has so far been carried out is not absolutely complete, inasmuch as we have not yet completed the scheme for the decentralisation of stores, which we regard as a matter of the most vital importance for mobilisation. There are a good many minor matters that are still in progress, but which are not yet absolutely complete; but the result is that up to the present time we have got into a position in which we are able to mobilise not only our regular Army for the defence of the country, but all our other defensive Forces, in a much shorter space of time than has ever before been possible in the whole history of the country. I think I have now answered the criticisms of my hon. Friend, who seems to think that we should discuss the matter not only as it affects the Army, but also as it affects the Navy. Of course, he is perfectly right in saying you ought not to fix on your system of organisation for the Army without fully considering the relative duties of the Army and Navy, and assigning to each the functions they have to perform. Well, we have considered what both the Army and Navy can do. I know that there are two or three moot points which my hon. Friend the Member for Pembroke (Admiral Mayne) and my hon. Friend Sir J. Colomb entertain strong opinions upon, and that one of them is the question of fortifications, the control and responsibility for which they think ought to be taken away from the Army and transferred to the Navy.

*SIR JOHN COLOMB: Of naval bases. I referred to naval ports, and not to military forts.

*MR. E. STANHOPE: My hon. Friend says he confines his remarks to Naval forts and garrisons, and he thinks they ought to be transferred from the Army to the Navy. Speaking as one who is responsible for Army administration, and for that only, I say without the slightest hesitation that there could be no possible solution of the question that would personally be more agreeable to me, and I think I may also say to those who may be my successors, than the transfer of an enormous part of the duty entrusted to me—a duty which is exceedingly difficult to discharge—from my shoulders to the shoulders of the Minister who is responsible for the Navy. But the Committee will probably recollect that some years ago, when the question was raised in this House by the noble Lord who used to represent the Borough of Marylebone (Lord Charles Beresford), it was proposed by the noble Lord that the question of garrisoning some of the distant coaling stations with Marines, instead of the Forces belonging to the Army, should be fully considered. Well, I may state that we have given to that question our very earnest and careful consideration. It is a question which everbody knows is one of enormous practical difficulty, and the result of the examination which my noble Friend and myself have given to it is that to transfer the Forces in the way proposed for the purposes referred to would, under the existing organisation, involve a largely increased charge on the financial resources of the country. And here I may say I do not wish it to be supposed that I am laying down the proposition that we should not take any steps in this direction; but when my hon. Friends talk of striking out of these Votes the whole of the charges for fortifications, and transferring them to the Navy, they must surely have forgotten the detailed difficulties of such a transfer which, even if the House were to say the transfer should be made, could not be carried out except after the lapse of a considerable number of years, which would necessarily go to the very root of the whole question of Army organisation, and be the means of handing over to the Navy a responsibility which a large and enormous number of naval officers do not desire to have thrown upon their shoulders. To undertake at once to carry out such a proposition would be the height of rashness for any Government; but, at the same time, I think it right to say that my noble Friend and myself have the question under our consideration, and if we think we can make such a proposal to the Committee, and that it would add to the strength of the country and simplify its defence without adding unduly to the charges on the public purse of the country, we shall make it without the slightest hesitation, in the full confidence that it will meet with the approval of Parliament. I do not think my hon. and gallant Friend will expect from me any further assurances at the present moment than I have already given; at any rate I am not prepared to say that I can see my way to divesting myself of the responsibility which is at the present moment vested in me. This, however, does not prevent our realising that there is often danger arising from differences of opinion in matters of this kind, and that it is a very great thing to secure, as far as possible, unity of action in all matters regarding our defences, and that the Army and Navy respectively should thoroughly understand their different functions, and be fully prepared in time of need to do all that is necessary for the discharge of those functions without complication and without confusion. We are confident that should we continue to hold office for a short time longer, we shall see our way to a practical solution of all the difficulties that have arisen, and to place on a satisfactory basis both the military and naval organisation of our Forces.

*(6.30.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I do not imagine that the *amour propre* of my noble Friend the Member for Rossendale is greatly concerned with his position as Chairman of the Royal Commission, but I think that he and the other Members

of that Royal Commission have at least some reason to feel surprised and almost hurt at the somewhat slighting terms in which the right hon. Gentleman the Secretary of State has spoken of the Report which was the result of our labours. He said that the country did not care about it, and he showed that the Government did not care either; at all events, he put off the consideration of most of its principal recommendations for an indefinite time; and that was not the way to show a true appreciation of the labours of the Commission, and of the recommendations which after much labour and voluminous inquiry it ventured to make. Although the right hon. Gentleman might not have introduced at once all the changes which have been suggested, yet it was hoped that he would in some way have shown a disposition to move in the direction which the Commission indicated. I will deal briefly with only three of these points. The first point is the reponsibility of the military officers who constitute our headquarters Staff and their relations to each other and to the Secretary of State. No doubt it is perfectly true the Commission did not recommend that a fundamental change should be made in the organisation of the Military Department at the War Office as long as the present Commander-in-Chief held office; but the Commission pointed out very strongly the evils of the present system by which one officer is placed above another, and very few officers indeed—and only one in the last resort—come into direct relations of personal responsibility to the Secretary of State. The Director of Artillery has not long occupied the position he now holds in the hierarchy of the War Office. Formerly he had a separate existence under the Surveyor General. I quite admit that that was an arrangement open to great objection; but what the right hon. Gentleman has done whilst he has been Minister of War has been actually to aggravate the evil of which the Commission complained, and to put the officer who really has the control of the enormous business of supplying the *materiel* of war for the Army and the Navy under the Quartermaster General. Is not that so?

*MR. E. STANHOPE: No.

*MR. CAMPBELL-BANNERMAN: Well, under the Adjutant General, who is under the Commander-in-Chief, who is responsible to the Secretary for War. It is essential to good administration that an officer with such enormous responsibilities as General Alderson should be in more direct relations with the Secretary for War, who is responsible to Parliament and to the country. On the recommendation with regard to the Naval and Military Council, I separated myself from my colleagues on the Commission, and only signed the Report owing to the employment of the word "may." I am sceptical of the advantage of any Council of that sort, but I do think there would be advantage in a Council within the Cabinet — a Council of responsible Ministers. One of the ends supposed to be gained by this Naval and Military Council would be the prevention of friction between the two Departments of the Army and Navy, and, above all, the settlement of many outstanding questions between them with regard to which there is an undecided limit of authority. The cases of alleged friction brought before the Royal Commission as calling for the proposed Council were no doubt serious; but the arguments founded upon them have been greatly exaggerated; and with proper feeling between the two Departments there ought not to be much friction. There will necessarily be a certain amount of friction as long as there is any confusion with respect to the duties of the two Departments in providing for the sea defences of fortified places. With regard to such important places as Malta and Gibraltar I believe that until lately there has been great diversity of opinion as to how far the defence should be undertaken by the Navy and how far by the military forces, and the same difficulty has arisen with regard to harbours and other duties which are obviously of an amphibious kind. This overlapping of responsibility leads one to look with a more friendly eye than one otherwise would upon the transference suggested by the right hon. Gentleman to the Naval Authorities of the greater part, if not the whole of this work. No doubt it would involve fundamental changes, but it would unify the coast defence of this country, and the sea defence of the coaling stations and fortified places all over the world. I pronounce no very strong opinion on that point. The right hon. Gentleman will no doubt tell us that a great expenditure of time and money would be caused; but these would not be insuperable objections if there were any real prospect of an increase of efficiency and simplicity in the arrangements for the defence of our Empire. It is by settling these points one way or the other, once for all, rather than by the establishment of a Naval and Military Council, that difficulties hitherto experiencd will be got rid of. The third point I have to deal with is the question of the establishment of a Board of Promotion. I entirely agree with a considerable part of this proposal, and especially with the formation of the Board and the appointment to it of the three senior general officers commanding districts, thus making it an impersonal appointment, and avoiding the danger of selectany particular officer to exercise a somewhat invidious duty. I would urge the right hon. Gentleman to apply that principle to the other two officers. I do not regard with very much satisfaction the prospect of a general officer of Cavalry, Artillery, or Engineers being selected for the purpose of discharging this difficult duty; you might name the officer in command of the School of Military Engineering or the officer commanding at Woolwich, without fixing upon a particular man to exercise this delicate function. The right hon. Gentleman says the first duty of the Board will be to deal with the lieutenant-colonels. Now, when an officer of this rank has served his time he has the option either of retiring or of going on half-pay with a view to further employment in the future. The right hon. Gentleman says the Board might at once tell him there is no chance of further employment, so that he might as well retire at once. I think there is a certain amount of cruelty in at once telling him that there is no chance of his being again employed, and I am afraid the Board would be tender-hearted and hesitate to do it. I have always favoured the principle of making the decision rest upon actual employment. If a man is merely to be told of a prospect of being employed, there will be room for the play of over-indulgence or prejudice as between one officer and another. It may be that to limit promotion in this way would limit the chance of promotion to the whole body of officers in the Army; but if the appointments at the head of the Army are not sufficient to cause an adequate flow of promotion from below, the sounder remedy is to lessen the number in the ranks below rather than to artificially increase the higher posts. Officers should only be promoted to discharge the active duties of the higher ranks. There is another point on which I wish to say a word or two, and it somewhat affects a matter with which I was dealing a few minutes ago, namely, the relations between the Army and Navy. The right hon. Gentleman announced, or rather corroborated the announcement previously made, that the recent transfer of the Stores Vote from the Army Estimates to the Navy Estimates had been followed by a determination to divide the naval from the military stores. The separation of the military from the naval stores is, no doubt, the logical consequence of the transfer of the votes from one estimate to another; but the Treasury Rule of May 1887 will still be infringed; for whatever arrangement is made, the Admiralty will still get its stores by or through the War Office. I should like to know whether the Treasury and the Admiralty have both fully concurred in the change, and whether they are satisfied that it will lead to no large increase of expense. The question of an increase of the Staff to look after the stores is a comparatively small matter, but at foreign stations there may be danger arising through the duplication and confusion of the patterns, and there may be a necessity to keep a larger reserve of stores than under the old system. I do not mean to say that these are evils which must not be faced, but I should like to know if the authorities are completely satisfied that they will not exist to an unreasonable and pernicious extent. So long as there are two distinct stores and two competing authorities in the matter, I fear the country will be liable to the evil which has been experienced in foreign countries — namely, that for the Army to adopt any particular arm or weapon is sufficient to insure that the Navy will not adopt that arm or weapon, with the result that, owing to rivalry and jealousy, the country is deprived of the advantage we have hitherto enjoyed of having one reserve of stores at all our foreign stations as well as at home, equally applicable to the Army and the Navy.

*(6.51.) MR. E. STANHOPE: I will at once reply to the special question put by the right hon. Gentleman, relative to the division of stores. The right hon. Gentleman said quite truly that it is the logical result of the division of responsibility and I am glad to say that the course which we have now decided upon has been absolutely approved by the Admiralty, Treasury, and War Office. That I think will satisfy the right hon. Gentleman. The purchase of warlike stores, however, has not been removed from the War Office, but the moment the stores pass into the custody of the Army or the Navy then that particular Department becomes solely responsible for their care. The Treasury is satisfied that no great increase of expense will be entailed by the new arrangement; though in some matters of detail there may be a slight increase. The absolute condition has been laid down that divergent patterns for arms used in common by the Army and Navy are not to be adopted unless it has been shown to the satisfaction of the Secretary for War and of the First Lord of the Admiralty that such divergence is absolutely unavoidable. The right hon. Gentleman has alluded to the undesirability of adding to the aggregate quantity of stores, but I may say that the principle of the separation of naval from military stores has not been applied outside the United Kingdom; and no such principle will be adopted on foreign stations, and particularly on coaling stations, until after full examination of any difficulties which present themselves. The right hon. Gentleman, in dealing with the question of the Promotion Board, said the danger was that such a Board would be too tender-hearted. I agree it may be so, but even though the Promotion Board is inclined to be tender-hearted, it may simplify the work that has to be done if the Board goes carefully through the whole list of officers who may be selected for promotion. I trust that before long we shall be able to put before the House in a definite and accurate form rules for the working of the Promotion Board, which will show we have carefully guarded against the dangers which have been pointed out.

*(6.57.) GENERAL FRASER (Lambeth, N.): As there is a great and paramount question coming before the House with regard to the position of purchase officers——

*MR. E. STANHOPE: I rise to order. I have to call attention to the fact that my hon. and gallant Friend has put a Motion on the Paper dealing with the case of these officers and that it would therefore be out of order now to discuss it.

*GENERAL FRASER: I will not trespass on the time of the Committee on this occasion, as a momentous subject of paramount importance will shortly be brought prominently before the House of Lords and House of Commons, namely, the position of the purchase officers of the Army. The interests of these officers, recognised by Royal Warrants and honourable pledges given on the abolition of the purchase system, cannot be set aside. I say that the proposal with regard to the Board of Promotion made by the Secretary of State for War will be looked upon as a flagrant breach of faith.

(6.58.) MAJOR RASCH (Essex, S.E.): I desire to call attention to the question of the employment of Reserve and discharged soldiers, and I should not do so had the Secretary for War alluded to the subject in his speech the other night. Since the introduction of the short-service system about 450,000 men have been discharged from the Army, or about 32,000 a year. No effort has been made in behalf of these men, except by the Association for the Employment of Discharged and Reserve Soldiers, which, when it was started, was promised the warmest support and assistance of the Government. The only assistance given has been a pittance of £200 a year, and therefore the platonic sympathy of the right hon. Gentleman, though gratifying, is absolutely valueless. As the right hon. Gentleman will not advise an increase of the grant, or grant an office to the Association at the War Office, will he include in the scope of the Committee to which he referred the other day the question of the employment of discharged and Reserve soldiers?

(7.0.) THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): I am sure every Member of the Committee will be equally anxious with the hon. and gallant Gentleman that the War Office should give every assistance in their power towards an institution that has been established for the purpose of providing employment for old soldiers, but the difficulty we have had about this Society is one which, I think, the hon. and gallant Gentleman will appreciate. It is not possible for the Government to undertake the responsibility of finding employment for discharged soldiers, and if the War Office were to set up a bureau the Government would be responsible. We have met the question by subscribing for the last five years £200 a year towards the expenses of the Society. The total expenses of the Society last year were £532. I have not the figures before me at this moment, but speaking from recollection I may say that, whereas at the time the Government commenced to subscribe the whole expenses of the Society were defrayed by private subscriptions, the funds have now suffered to more than the extent to which the Government have subscribed. I think, therefore, it is not an unfair deduction that if we were to subscribe a larger sum, there would be a larger reduction in the private subscriptions. Our object in subscribing at all is to increase the sum available for the work. My right hon. Friend is not at all unwilling to see whether some further negotiation cannot be carried on with a view to meeting the private subscriptions, and we are at this moment in consultation with the Treasury about it.

MAJOR RASCH: Will the Government include the question in the scope of the Committee.

MR. BRODRICK: I think it would be beyond the scope of the Committee, which has already got very important subjects before it.

*(7.4.) MR. MARJORIBANKS (Berwickshire): I desire in a few words to accentuate one portion of the speech of the noble Marquess the Member for Rossendale (the Marquess of Hartington) which was passed over lightly by the Secretary of State for War—that portion in which the noble Marquess referred to the adoption of the new rifle, and to the place in which the responsibility might properly be allocated. The other night it was urged from more than one quarter that owing to the censure that had been passed on the War Office by the Report of the Commission it was impossible to accept the doings of the War Office with simple and pure confidence. The right hon. Gentleman took great exception to this line of argument, and said he could not see what sort of connection the Report of the Commission, presided over by the noble Marquess, had with the adoption of the new rifle. I was very glad to see the noble Lord thought it had a very close connection indeed. The noble Lord was as much puzzled as other Members of the House, and people outside, as to the real place in the War Office where the responsibility for the selection of the rifle is properly to be allocated. The Secretary of State for War himself has given very contradictory accounts. The other night he said that the primary responsibility for the adoption of the weapon rested, in the first instance, with the Army itself, and then he said that the Director of Artillery was responsible. He now appears to think that the Commander-in-Chief and the Adjutant General are responsible. I have not in any speech seen the expressed public opinion of the Commander-in-Chief on the subject, but I have read a speech which the Adjutant General delivered at Devonport in December last, in which he stated that he knew very little indeed about rifles, but that he still thought that we had a good rifle, in view of the fact that the new rifle has been adopted by the Government of Roumania.

MR. BRODRICK: I am sorry to be obliged to interrupt the right hon. Gentleman, but I wish to point out to him that the speech of the Adjutant General was very briefly, and, indeed, most imperfectly reported.

*MR. MARJORIBANKS: The fact remains he was reported, and he has not contradicted the report.

*MR. E. STANHOPE: He contradicts it now.

MR. BRODRICK: The Adjutant General made a much more distinct and definite statement in reply to the Secretary of State's letter.

*MR. MARJORIBANKS: I accept the contradiction of the Adjutant General, and I am sorry I imputed to him a want of knowledge that he really possesses. However, the Adjutant General has evidently arrived at the incorrect conclusion that the weapon has been adopted by the Roumanian Government. Even had it been so adopted, it would not be any great recommendation of the rifle. It is an extraordinary fact that, if the Army itself is primarily responsible for the adoption of the rifle, so little attention should have been paid to the Report of the body of instructors at Hythe, which Sir R. Buller has said amounts to a general condemnation of the weapon. I only rise on this occasion in order not to pass by any opportunity of bringing this subject before the House, because there are a great number of people, both inside and outside of Parliament, who believe that in adopting this rifle we have adopted a thoroughly bad weapon, and one that it is a shame to the country the War Office should have forced on the Army.

(7.11.) GENERAL GOLDSWORTHY (Hammersmith): I and others do not entirely agree with the remarks of the hon. and gallant Member for Galway (Colonel Nolan) in respect to the Committee appointed to inquire into the administration of the civil and professional depôts. There was only one military gentleman on the Committee, and I do not believe the Committee represented the sentiments of the officers of the Army. I am in hopes that in the end the War Office will be a thoroughly business-like Department. Personally, I believe that it would be a very good thing if we had a Minister for Defence. The Secretary of State has done wisely in appointing a Board of Selection, because there are several officers whose claims have been ignored. With reference to the remarks of the right hon. Gentleman the Member for the Stirling Burghs, I would like to point out that very often officers, on vacating one appointment, apply for another. I think that when there is no intention of appointing them it is well to tell them so at once. I trust that the time will soon come when the coaling stations will be handed over to the Navy. As to the Society for the Employment of Discharged Soldiers, I should like to see the Government finding the whole of the necessary funds, so that officers would not have to provide for their old soldiers.

*(7.15.) SIR H. HAVELOCK ALLAN (Durham, S.E.): Before this Vote is taken I should like to draw the attention of the Secretary of State to what appears to me to be a most important subject. The hon. and gallant Gentleman the Member for Birkenhead (Sir E. Hamley) did not at all exaggerate the case when he said we had touched bottom in the matter of the unsatisfactory nature of the bulk of the men who we are obliged now to take into the Army. If I criticised at all the remark of the hon. and gallant gentleman, I should say it did not go far enough. I venture, with all deference, to suggest to the Secretary of State two modes by which he may, at all events, stay the enormous waste going on. The one is by enabling all men who desire to prolong their service to seven or nine years to do so. Such a power would, I believe, even in the next 12 months, have a most appreciable effect in retaining a large and valuable body of men under the colours. The other point has reference to the useless and totally unnecessary waste so strongly pointed out by the Inspector General of Recruiting, namely, that under the present conditions only about 20 per cent. of those who complete their original 12 years' engagement enter the Supplemental Reserve, and that, by the discharge of the remaining 80 per cent. the State has, during the last five years, lost the services of upwards of 38,000 men. If these men were allowed to extend their time from 12 to 16 years the result would be most beneficial by retaining for the Army a large number of trained soldiers who would form the most valuable of all the different classes of men in the Service. The cost of this would be extremely small, and I hope the Secretary of State for War will devise some means of placing an arrest upon the great and wanton waste now going on.

(7.20.) SIR F. FITZ-WYGRAM (Hants, Fareham): I, with others, feel most grateful to the Secretary of State for the many advantages, in the future, he has held out to the soldiers. Almost every class in the Army will derive some advantages through his proposals except one, and that is the non-commissioned officers, the most valuable part of the Army, the strength and the backbone of our regiments. I have never asked for an increase in the pay of the private soldier. I think his pay and the advantages he derives are fully equal to the wages paid unskilled labour in the country; but the case of non-commissioned officers stands on a different footing altogether. We want, as non-commissioned officers, men of good character and connection, and fitted for the responsibilities of the position. The Secretary of State for War has said that the regiments can get as many non-commissioned officers as they want. I know the roll is full, and always will be full, because you will always find in the Army a certain number of men glad to accept 8d. or 1s. a day more for performing the duties of non-commissioned officers. But such a class do not furnish the men we want, nor do they give the service we want. I live in a district which furnishes a very large number of recruits, both to the Army and to the Navy, but the complaint that is made in the district is that there are not a sufficient number of good and well-paid places for good men. Commissions are given away occasionally, but they are of no use in regard to recruiting. If you had good places for good men, fathers and mothers would be glad to see their sons go into the Army, especially in these days of short service, when there was some chance of returning home at no distant date. My belief is that if you were to pay your corporal 2s. 6d. a day, your sergeant 3s. 6d., your troop sergeant-major and colour-sergeant 4s. 6d., the good news would very soon spread throughout our villages, and an impetus would thus be given to recruiting. Such a step would be much more effective than the increase in the pay of the private soldier advocated by the hon. Member for Preston (Mr. Hanbury) and others. I hope the Secretary of State for War will lend a kindly ear to this proposal, which would not result in a large expenditure, but which, I believe, would be most effectual in increasing recruiting. There is another subject on which I wish to say a few words. In all Infantry regiments there is great complaint as to the guards which have to be kept. I believe that complaint is thoroughly well founded. Take the case of an ordinary Line regiment. In many Infantry barracks I find a number of sentries which are perfectly unnecessary. I find a sentry at the officers' quarters, at the quartermaster's store, at the hospital, at the magazine, and, in some barracks, at the officers' latrine. In many cases there are sentries at the front and rear of the barracks. It may be necessary to have a guard at the magazine, where it is distant or where the circumstances of the place renders it necessary, but as a general rule the amount of ammunition stored in the regimental magazine is very small, and not likely to create a very dangerous explosion if anyone got in and fired it. I assume that the reason for posting a sentry at the hospital is to prevent the introduction of spirits; but in view of the responsible Staff engaged in the hospital I cannot believe there is any fear of spirits being introduced. I fancy that in the case of regiments the conduct of whose men is not very satisfactory, sentries are placed at the rear and front of the barracks to prevent men breaking out after hours; but the idea that a sentry checks breaking out after hours has no foundation. If men want to break out they can always evade a sentry. Everybody who knows the Army knows that there are only two hours in which men ever break out of barracks, and they are the two hours between watch-setting and the closing of the public houses. I think the best way of preventing breaking out is to occasionally call the check rolls. If you put sentries on, men break out without being found out, and they break in without being found out; and, of course, where there is a great chance of getting off scot free you find the practice of breaking out prevails much more largely than would otherwise be the case. I come from a Cavalry regiment, and we have a good deal for our men to do during the day, and we do not want to keep them up all night. For years past we have found that a corporal's guard of three men and a sentry is quite sufficient to maintain the security of the barracks. I think that if the Secretary of State for War would call the attention of the

Commander-in-Chief to the unnecessary number of sentries, and obtain their abolition, he would do good service to the soldier, and remove a great source of grievance. The soldiers know that all this sentry duty is unnecessary, and anything which is unnecessary is always felt very much more than that which is necessary. I should have been glad to have heard from the right hon. Gentleman a proposal to set up workshops at the barracks. I have always advocated this, and it may be said it is rather a hobby of mine, and I used to carry it out in India. I think the Secretary of State could, if he chose, undertake the whole of the barrack repairs by this means, and road-making, draining, paving, plastering, and almost everything else. In every regiment there are a considerable number of men more or less artizans by trade, and though, no doubt a good many are little more than apprentices to the trade they left early, yet with a little training and teaching they could do the work. My object in this suggestion is to assist men to find employment when they enter the Reserve or leave the Army. Of all the Reserve men who go loafing about, 99 per cent. come from Infantry regiments; rarely do we find among them men from the Cavalry, Artillery, or Engineers. In the latter branches of Service the men have an opportunity of fitting themselves for civil employment—they learn the management of horses and the routine of stable-work, and they pretty readily find employment in civil life. I often see them engaged as drivers, and though I hope men from my regiment do come to me when they find themselves in distress, I have not once in the year an application that I will assist a man to find employment. In Cavalry, Artillery and Engineer regiments we keep the men employed during the day, and the consequence is that when they do go into civil life they do not find the hours of labour irksome. I see the noble Lord the Member for Petersfield (Lord Wolmer) looking at me, and I know he takes an opposite view. In my establishment it is the rule to find, as far as possible, employment for Reserve men; but what I should like to see done would be the training of a certain number of men, say 10 per cent. in every Infantry regiment, in those trades which are useful both in peace and war. There are trades particularly useful in war in which the British soldier is certainly not instructed. Now I live at Portsmouth, and there is about the fortifications a good deal of work in connection with the raising and turfing of earthworks, and upon such work I often see civilian labourers employed when it would be very much better if the men of the garrison were employed upon it. As regards barrack repairs, there would be great saving of expense. The soldier is paid his daily pay as a soldier and, therefore, would, I imagine, do the work at half the rate of payment to the civilian labourer. You may say, this would only afford employment for a very small number of the Reserve men, and I am aware of that, but still it would be better than nothing, and I think it might be carried out to some extent.

*(7.35.) VISCOUNT WOLMER (Hants, Petersfield): I put a question to-day to the right hon. Gentleman the Secretary for War as to sentry duty, and if he will give me his attention I should like to put one or two further questions on the subject which it may not be necessary for him to answer now, but he may think the matter deserving attention. I understood him to say that his information was that the excessive amount of sentry duty did not prejudicially affect recruiting for the brigade of Guards.

*MR. E. STANHOPE: I said if it was excessive it would affect recruiting. The question is whether it is excessive.

*VISCOUNT WOLMER: I would ask the right hon. Gentleman if he has consulted the officers engaged in recruiting as to whether the amount of sentry duty has an effect on recruiting? I would further ask him whether the opinion of the commanding officers of the battalions of Guards, which have to find the men for this duty, is that it is good training for the men? I have the greatest respect for the right hon. Gentleman's opinions, and do not like to speak slightingly of his remarks, but there was one sentence in his answer to my question which I cannot, if he will permit me to say so, reconcile with common sense. He said the training in sentry-go around St. James's Palace might be useful in time of war. Now, I cannot consider any two occupations more dissimilar than walking round the walls of the Palace and the actual military occupation; and, indeed, on active service there might be some danger of a man not remembering that he was not engaged in the duty he had hitherto been practising. On that point I should like to ask the right hon. Gentleman to take the opinions of the colonels responsible for finding the men for this duty. I could not help being a little disappointed with the answer of the Financial Secretary to the question whether the employment of Army Reserve men would be submitted to the Committee which is going to be appointed. I was under the impression that it was going to be analogous to the Committee presided over by Lord Airey. Now, this question of the employment of Reserve men is most important in relation to the question of recruiting, and I cannot understand why it should be withdrawn from the consideration of the Committee. The right hon. Gentleman has made a great many speeches, and we have trespassed much upon his time and attention, but the right hon. Gentleman did not deal with the question raised by the hon. and gallant Member for Birkenhead (General Hamley) as to whether it was worth while for the sake of 2d. a day to restrict the Supplementary Reserve to 20 per cent. of the men who leave the ordinary Army Reserve. At a moment when recruiting is actually short, when a great percentage of the recruits are specially enlisted and are admittedly unfit for immediate duty as soldiers, is it wise to lose from 5,000 to 9,000 men a year, the very pick in point of physique of the men in the country, the best men that can possibly be had for soldiers? No doubt many of them would not re-enlist under any terms, but it seems to be the opinion of Members well qualified like the hon. and gallant Member for Birkenhead to give an opinion, that the great majority of them could be secured on slightly improved terms. Surely this and all other questions connected with recruiting and the state of the Reserves deserves attention.

(7.43.) **Colonel NOLAN**: I hope the Financial Secretary will be able to give me an answer in respect to the value of rations.

*(7.43.) **Dr. FARQUHARSON** (Aberdeenshire, W.): With reference to what has been said by the noble Lord (Viscount Wolmer) may I ask the right hon. Gentleman to be kind enough to inquire of the Military Authorities whether I am not right in the assumption upon which I put my supplementary question this afternoon, that while musketry practice is going on at Aldershot the men engaged on sentry-go in London during that period have only four or five nights in bed. I quite admit that during the rest of the year they have plenty of rest. I would also ask him to inquire whether it is not the fact that last year 50 men of the Coldstream Guards were invalided in one year, and whether this was due to excessive exposure to severe weather while on sentry duty. If there is any idea that such duty is useful as hardening the men, I would ask the right hon. Gentleman to consult the medical officers of the Guards as to whether it is not prejudicial to the health of the men that they should be exposed to long hours on night duty during the inclement periods of the year.

(7.45.) **Mr. BRODRICK**: With regard to the point raised by the hon. and gallant Member (Colonel Nolan) it is possible to give the average cost of rations over three or four years, and I believe it is about 5d. or 5·25d. We must, in considering the cost, bear in mind that it does not represent the cost to the man himself if he found his rations, because we have the advantage of buying in large quantities.

Colonel NOLAN: Is it not under 5d.?

Mr. BRODRICK: Practically, we may call it 5d. The smallest rise may bring it to 5½d., and within a short time we have had it as high as 7d., and a bad harvest might send it up again.

Colonel NOLAN: But the average?

Mr. BRODRICK: I can give the hon. and gallant Gentleman the average over a series of years, if he likes to have it. For the last three or four years it has been 5d., and before that it averaged considerably higher. With regard to the Reservists my right hon. Friend will consider whether it is possible in any way to bring that subject within the scope of the Committee, but if the noble Lord looks at it he will see that it is part of a very large question, and that it is concerned with the large question of the labour of the country. The suggestions of my hon. and gallant Friend (Sir

Fitz-Wygram) are no doubt of value, and my right hon. Friend will carefully consider them.

(7.47.) MR. LABOUCHERE (Northampton): In common with other Members I have listened with the deepest interest to this Debate on military matters, and I gather from it that in all probability, if this country is attacked by the smallest force, we shall sustain a disastrous defeat. As far as I can make out from what has been said in the Debate by military gentlemen who, of course, know more about these matters than I do, our soldiers are stunted in size, they live in barracks which are unfit for pigs, they have very much too little to eat and hardly any pay, and they are put to sentry and other duties which destroy the little health that is left to them for their miserable existence. But then I am somewhat comforted by the fact that I have heard all this before, in fact, I think I have never heard a Debate on going into the Army Estimates or on the first Vote in which all the military gentlemen did not come forward with these complaints. It is surprising to me that nothing is done to remedy them. I am sure I have for some dozen consecutive years heard one military gentleman after another prove conclusively that he would make an infinitely better Secretary for War than the right hon. Gentleman who at the time happened to hold that office, and yet the Secretary for War, for the time being, has invariably treated this military wisdom with the greatest contempt, and in default of remedy the same thing goes on year after year. I hope that the right hon. Gentleman the Secretary of State for War will give us an Army that will please the military critics in this House, without spending one farthing more than we spend now. Generally these Gentlemen add to their strictures the suggestion that more money should be spent on the Army. I am one of those who consider that we have much too large an Army at the present time, and the number of men is always going up under every Government. I am not surprised, for, unfortunately, there is still a great deal of "Jingoism" in existence, and every Government—but especially the present Government — undertakes new obligations, annexes new territories, and then comes to us saying the Army is not sufficient to defend the perpetually expanding British Empire. I have put down a proposal to reduce the number by 3,320 men, that being the number at present in Egypt, according to the Estimates that have been submitted to us. We are told that the Egyptian Government pay £87,000 a year, and I suppose our establishment in that country costs us about £300,000, at the rate of about £100 a man. Putting it at the lowest estimate, the cost to this country is about £200,000. But this is not the only ground of my objection to our Army there. I consider that the very worst use to which a man can be given up is to put him in uniform and give him a gun and make him a soldier. It takes him away from the labouring class and encourages in him a military spirit. I consider that our Army ought to be reduced to the lowest number that does not involve danger to the Empire. I am not going to bring forward the whole of this question. I will only allude to one or two points. I have spoken and perhaps divided the House a couple of hundred times on this question of the occupation of Egypt when the right hon. Gentleman the Member for Mid Lothian was in power, so it cannot be said that I am bringing it up as a Party question. What has been the origin of this occupation? Certain persons in the City, known as the Egyptian bondholders, had lent money to Egypt, and as Egypt did not seem likely to pay, therefore we established what was called a "dual control" with France. When we did that Egypt was under a sort of general tutelage of Europe, though it forms part of the dominions of the Sultan. We obtained the consent of the Sultan and a species of mandate from Europe, and with France went to Egypt and established there the dual control. The Egyptians objected to the incursion of English and French officials to squeeze out the money for the bondholders. They protested; they had some sort of Representative Assembly and ventured to suggest that the salaries of these officials should be submitted to them. At once we declared this was contrary to all justice, a riot developed into a rebellion, and, in consequence, we bombarded Alexandria. The French were more sensible, more honourable, more honest, I am sorry to say, than my own countrymen. They refused to take part in that nefarious transaction — the bombardment of Alexandria. We, however, did so. Then followed the battle of Tel-el-Kebir. A number of Egyptian fellaheen were killed. We called it a victory, and marched to Cairo, and since 1882 we have occupied Egypt. We obtained the assent of Europe to all this by the fact that we were always giving pledges that our occupation was only temporary. Why, the noble Lord the Member for Rossendale in 1883 said that we should evacuate Egypt in six months. I believe that the Government of the right hon. Gentleman the Member for Mid Lothian had really every intention of making it temporary, but something always occurred to make it impossible to withdraw the troops, as they said. I remember at one time they were very nearly withdrawing them. They had the troops in Alexandria when sickness broke out; and then, again, there was the war in the Soudan, and the intention of withdrawing was not carried out. I confess that I began to doubt whether they would ever withdraw, these circumstances always recurred so frequently, and I divided against every Vote for expenses connected with the occupation. The present Government inherited that position of affairs. The troops were in Egypt, and I have not seen the present Government evince the slightest vestige of an intention to make the occupation a temporary one. On the contrary, it appears to me that they intend that the troops shall remain there as long as the Government remain in office; and I presume they hope that their tenure of office is a long one. Indeed, judging from what is said in their organs and in their speeches, it seems to be almost assumed that Egypt practically belongs to this country—the idea of temporary occupation gradually fading. During the Ministry of my right hon. Friend a plea for remaining was that Egypt had no efficient Army of her own, but now it seems that the fellahs are making pretty good soldiers, while there are also the black troops under British officers, who, judging from the laudations of their recent action at Tokar, give Egypt as good an Army as she is ever likely to have. Now, the question is whether our conduct under these circumstances is legitimate or expedient, putting the question of legality aside. I consider that, in view of the pledges we have given to Europe and the suzerain of Egypt that our occupation would be but temporary, it is a base betrayal of our pledges that we should practically make this occupation permanent. It may be said that it is necessary, and that *salus populi suprema lex est*, but I contend that by remaining in Egypt we are putting ourselves in an entirely false position with the rest of Europe. It is true that Germany has been induced to give a sort of tacit consent to our occupation, but that has been to put us in a wrong position with France. I believe that there has been some tacit agreement with regard to this between Lord Salisbury and Germany in connection with the Triple Alliance, that Lord Salisbury should do his best, as he did, to induce Italy to join the Triple Alliance. But look at the consequences, see the position we are in in other parts of the world. A little while ago there was a difficulty in Samoa, and Germany behaved improperly in regard to our interest and the interest of the United States. But we dared not do anything, we were under the influence of Germany, and Prince Bismarck has, indeed, said that it is worth while to secure Lord Salisbury's assistance by yielding in Africa. It is surprising that Lord Salisbury should be content to occupy such a position, but this is an example of the consequences of our action in Egypt; in the Samoan difficulty we had to leave everything to the United States Government. Then again, in Newfoundland the French have certain rights; they are not particularly anxious to exercise these, but they say, "We are there by Treaty, and we take advantage of our position, while you, in violation of engagements, remain in occupation of Egypt." It may be said that there are military reasons, and that it is absolutely necessary for the safety of the Suez Canal that we should maintain our occupation. I entirely deny that; I think that the Suez Canal ought to be neutralised, and that such water-ways should be under international guardianship and control. But, as a matter of fact, by happy hazard we have a position in regard to the Suez Canal possessed by no other country. No ships could come through the Canal and get into the Red Sea, because you would hold the gates. If you happened to be at war with a Foreign Power the probability is —though I do not suggest that you would pay him to do it, or that you would propose that he should do it— that some neutral would sink a ship in the Canal. Knowing the possibility of a neutral sinking a ship, and of keeping both ends of the Canal so as to prevent an enemy from passing through, and knowing the impossibility of an enemy going down the Red Sea, you would send everything round the Cape of Good Hope; if we were at war with a European power, we should not use the Suez Canal, so that Egypt would be as useless to us as the Crimea. Then India is exceedingly distant, and that is a great advantage in retaining our hold upon that Empire. I cannot conceive any policy more absurd than reducing the distance between England and India by bringing troops to Egypt. By that policy, if we are at war, and any nation wants to attack us in the East, we do not wait for them in India, going round by the Cape of Good Hope, but leave an Army in Egypt for them to snap up. We have there 3,320 men. They are nothing—a mere compromising guard. If we were at war we should have to increase the number enormously, and even if we did increase the number enormously, we should be in an extremely false position. If we were at war with France, for instance, France could much more easily throw troops into Egypt than we could—provided she could pass the sea; and if she could not pass the sea the possession of troops in Egypt would be immaterial to us. Looking at it from all points of view, I maintain that we gain nothing and really lose a great deal by this occupation of Egypt. But that is not all. Egypt has no troops on her southern frontier. She there meets the barbarism of Africa, and you will probably continue to have troops pressing on that frontier, and you will, probably, be continually getting into difficulties with those tribes, and, so long as you are there, you will be forced into military operations at a very great cost to the British Treasury and of British blood, and that, too, in regard to matters as to which we have no real concern. And is our action to the advantage of Egypt? It is immaterial to me whether it is or not. I can conceive that some province of China might be better governed if we sent out Commissioners and an Army and highly-paid officials to occupy it and govern it; but that would not be our business. Our business is to see that the people are protected and properly governed in our own Empire, and I have no belief in this universal philanthropy, which usually means a scheme to take money out of the pockets of the British taxpayer, and put it into the pockets of somebody else who lives on the British taxpayer. That is what took place in Egypt. I admit that the administration there is better than it was in the time of Ismail Pacha, but you are destroying the patriotism of the country. [*Laughter*]. An hon. Member opposite sneers at what he thinks the poor Egyptian's want of patriotism. I admit that the Egyptian has not much now, owing to your efforts to destroy it, but you are aware as well as I that in the time of Arabi Pacha there was some little patriotism in the Egyptian. Well, what have you done with him? Have you given him Constitutional Government? Have you trained him in representative institutions? No! You have placed him more and more under tutelage and made him more of a child than he was before, and if you went away to-morrow there would be less chance of his having sound Constitutional Government now than before your arrival. When the right hon. Gentleman the Member for Mid Lothian was at the head of the Government, Minister after Minister used to rise up and speak about training the Egyptian and making him a free and independent and constitutional being. But did they so train him? Not they! The first thing a person so trained would do, would be to turn out an alien race attempting to rule over him. Why do we remain in Egypt? We are acting in the basest manner in doing so. We are violating all our pledges; we are putting ourselves in a false position. I take it there are two reasons why we remain there. One is that the old Jingo feeling still lives. The Secretary for War, I have no doubt, agrees with what I am saying, but he has not the moral courage to say we are going to evacuate Egypt. The other reason is that, if the occupation ceases, Egyptian bonds will come down, and every one knows perfectly well that there is a very powerful representative of the bond holders, who once was not a Conservative, but has gone over to the Conservatives, and has, no doubt, made his terms with them—every labourer is worthy of his hire. The Government have taken over this gentleman, and they insist on his bond holding policy being pursued. The bonds might go down, and that is the only reason, except this general love of Jingoism, which leads us to remain in Egypt. These troops are not only employed in Egypt proper. When we went to Egypt we entered into an engagement—I do not know with whom, but I suppose with ourselves—to defend certain ports of the Red Sea; and there have been during the last five years three or four most outrageous and wicked massacres in the neighbourhood of Suakin. I never understood myself why we should defend Suakin. It is not really a part of Egypt. It is part of the Soudan, and when we gave up the Soudan—and it will be remembered that the right hon. Gentleman the Member for Mid Lothian spoke about the Soudanese being men who were "rightly struggling to be free"—I do not know why we should remain at the port of Suakin. The slave trade has been trotted out as an excuse, but there is nothing to be gained in that direction by maintaining the Egyptians in the Red Sea ports. The fact is, it is a case of *J'y suis, J'y reste.* Two years ago a deputation waited on Lord Salisbury, and they were assured that no attempt would be made to get beyond Suakin. When the noble Lord the Member for Paddington moved the adjournment of the House on the occasion of the last battle, or whatever it is called, the House was assured that the operations were only undertaken in order to prevent an attack on Suakin; but from the newspapers this morning we find that Tokar has been attacked—a place 40 miles from Suakin. The position was this: The tribes in the neighbourhood of Suakin were at one time fed through the merchants in that place. These people were mainly porters, their principle business being to carry goods between Suakin and Kassala and interior places. When you interfered with their trade, and tried to starve out the whole of the Soudanese, you deprived these people of their occupation. The Protection of Aborigines Society sent £1,500 to feed these people, but they were told that they could not feed the people. That I understand was done by the desire of General Kitchener, when both Sir E. Barry and Sir F. Grenfell were absent from Egypt. At any rate the thing was done. Dr. Harper, the Missionary, has told us how the distressed people were put outside the forts on the plea that cholera had broken out, and General Haig has described the suffering these people have had to endure through being driven outside the Egyptian military *cordon.* You turned the people out and insisted that no goods were to be allowed to enter the Soudan, and then because they turned to the dervishes for protection—as they could do nothing else—you slaughter them. The recent fight at Tokar is spoken of as "a glorious victory," but to my mind it was a cruel massacre. On the side of the Egyptians there were 12 men killed, whereas on the other side 700 corpses were left behind, and as the dead were in many cases carried away, the killed may be put down at 1,000. And what was all this slaughter for? Because Osman Digna is in occupation of Tokar, and Tokar is 40 miles from Suakin. But no doubt Osman Digna will collect his forces and occupy some place 40 miles or less from Tokar. Will that be considered a reason for attacking him there? There is no doubt it will, and I point to this as showing what must be the inevitable consequences of our maintaining this garrison in Egypt. We encourage the Egyptians—in fact, I think the Egyptian Government is a dummy, and that when we talk of the Egyptians we are talking of Her Majesty's Government. But, be that as it may, we are no doubt responsible for what I can only call most scandalous atrocities. We seem to think that English morality and justice can be quite different in different parts of the world. What would be said of the Russian, or any other European, Government if it were to cause a massacre of this sort with the loss of only a dozen men? There would be an outcry in every newspaper of the country. Now, I want a clear understanding on this matter. If the right hon. Gentleman will give us a definite assurance that within six months the last English soldier will leave Egypt, or that he will at once enter into negotiations with Europe in order to promote that neutrality of Egypt which ought to exist when we withdraw from it, I shall not ask the House to divide. But if we are to be simply told that this permanent occupation of Egypt is a temporary occupation, and that we are to go on year after year encouraging these raids in the Soudan, it will be my duty to divide against the Vote.

Motion made, and Question proposed, "That a number of Land Forces, not exceeding 150,376, all ranks, be maintained for the said Service."—(*Mr. Labouchere.*)

*(8.21.) SIR J. PEASE (Durham, Barnard Castle): I am sure the Committee must have listened with great attention to the speech of my hon. Friend. I was one of those who from the first took great objection to the manner in which we proceeded in Egypt. Although I was a supporter of the Government of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), I felt that it committed a great and fundamental error in the bombardment of Alexandria, and during the war in the Soudan I was one of those who constantly objected to the proceedings of the Government. I quite feel with my hon. Friend that the time has come when we ought to know what our liabilities are in Egypt. There is one point to which my hon. Friend did not allude. I should like to ask what would have been the result if the Egyptian troops had been defeated at Tokar, instead of having gained a victory? Would the English troops have had to be sent down from Egypt to reinforce them? Are the English troops to do all the dirty work of the slaughtering of the poor people of the Soudan when the Egyptians are defeated, as they did before? We had to give up the idea of conquering the Soudan for Egypt, and we made Egypt adopt a policy which seemed to be a sound national policy, namely, that of treating Wady Halfa as the southern boundary of the country she desired to defend. We departed from that policy, however, when we sent a small garrison to Suakin.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): We have no English soldiers at Suakin.

*SIR J. PEASE: Well, I think that makes the matter worse; because whilst we are doing all we can for Egypt proper we allow her troops to run wild in the Soudan, and to run the risk of involving us again in all the loss of money and credit which we have experienced in past times. I hope Her Majesty's Government are not so absurd as to wish, like the Government which preceded them, to go from Suakin to Berber. If we can now leave Egypt to its own resources, we shall have done a great deal for it, without getting any other benefit than we obtain from other civilised countries; but if we are going to remain in Egypt in order to allow Egyptian soldiers to fight in the Soudan, I must enter my protest against such a course. I should like to say one word on another point. During the last few years, under both Administrations, the Army Estimates have gone on steadily increasing. We seem to have had lately a very quiet and peaceable foreign policy. No one can accuse Lord Salisbury, during the present Administration, of having rushed blindly into war, but the Army Estimates continue to increase. The Reserves have mounted up; the Militia has been strengthened; and the Volunteers have become a larger and a better Force than was the case when I first began to study these Estimates, and the cost of the Army has grown larger and larger. Of course, I shall be told by the right hon. Gentleman opposite that Europe is filled with armed men. It is perfectly true that Russia, Germany, and France are filled with enormous Armies; but I want to know which of these Powers we are afraid of. Do you expect that Germany, or France, or Russia are going to invade us? We are surely not going to take part in quarrels between Germany and France or Germany and Russia. We adopted a policy of peace when Germany and France were at war, and the country profited morally as well as pecuniarily during that period. The policy of Lord Salisbury has been one of non-interference with other countries; and surely a policy of peace and good neighbourhood with our neighbours in Europe is one which does not require large standing armies in addition to large fleets. During a time of peace the present Administration has had its hands full of the question of pestilential barracks, and of the difficulties of raising and dealing with large numbers of soldiers. At the present moment our Army, irrespective of our Indian troops, with the Militia and Volunteers, numbers between 500,000 and 600,000 men. The use of so large an Army I am quite unable to conceive. (8.30.)

*(9.3.) SIR J. FERGUSSON: It may appear somewhat surprising that I should be called upon to intervene in a Debate on the Army Estimates, and especially in the case of so small a reduction as has been moved by the hon. Member for Northampton; but I freely admit that it is not unreasonable to connect with it the question of our occupation in Egypt, of our influence there, and of the duration and object of that occupation. The hon. Member has not brought forward his criticisms on the policy which underlay our occupation of Egypt for the first time. The House has been favoured before with many of the arguments which have been used to-night. The hon. Member, no doubt, has been a consistent opponent of the policy which Her Majesty's Government inherited—they certainly did not initiate it—and from which they have not swerved. The hon. Member referred to our position in Egypt as a false position. I do not wish to enter into more detail than the subject requires; but some few remarks I must make in defence of our position in answer to the attacks which have been made upon it. The hon. Member says that we do not act independently in any part of the world, and that questions in which other nations are involved enter everywhere into our relations. But that is the penalty we pay for having a worldwide Empire. Undoubtedly, owing to the enterprise of our people, we have possessions in every part of the world; but we do not aspire to exclusive possession; we must have neighbours, and we desire to live in harmony with them. Nevertheless, there must be rivalry, and it is our duty as politicians to deal with such rivalries, to avoid friction, and occasions of collision, and to come to honourable agreements and understandings with them. With regard to Newfoundland, I hope we shall be able to arrive at a solution of the difficulties which have arisen, without reference to the duties which our position impose upon us in other parts of the world. The hon. Member asks why the Suez Canal has not been neutralised. The Powers of Europe have entered into a Conference on the freedom of passage of the Canal, and arrangements were made by which not only mercantile ships, but the ships of war of all nations were secured a right of passage. And as to concentrating our attention upon our own Empire, I take it that we never interfere elsewhere unless British interests require it. Were so narrow a policy followed as that which the hon. Member advocates I am afraid our interests would greatly suffer, as we should have no friends. The hon. Gentleman asks what we have done for Egypt. We have done a great deal. Papers were laid before the House in the beginning of last Session which showed what we have done, and which gave a graphic picture of the improvements which have been effected in Egypt during the last seven years. The year 1889 was stated to have been the most satisfactory year in the history of Egypt, and Sir Evelyn Baring, commenting on that statement in the Memorandum, pointed out that an equilibrium had been attained, that the struggle for years past between solvency and insolvency had resulted in a condition of affairs which we never could have hoped for a few years before and that there was a surplus of £200,000, and he expressed great hopes for the future. In the interval since then these hopes have been fully realised, for the surplus which in the beginning of 1890 was £200,000 has been succeeded by one of more than £600,000 when the transactions of last year were closed. I venture to think

that that is a proof, not only of the extraordinary elasticity of Egypt's resources, but also of the results of British influence upon the government of that country. When we remember that only six years ago Egypt was unable to meet her engagements, and that now she has not only resumed full payments, but has paid the interest which had been suspended, and is beyond the reach of financial embarrassment without increasing, but, on the contrary, having largely diminished, the burdens of the people, I think the results must be considered highly satisfactory. There has been a vast increase in the extent of land brought under irrigation, and peasantry pay their land assessments with greater ease, and the prosperity of the people has been advanced in very many material respects. The hon. Member has touched upon the subject of the recent advance upon Tokar, with respect to which I answered a question early in the evening. Indeed, it also formed the chief subject of the speech of the hon. Member for the Barnard Castle Division, who objects to the whole of our policy in Egypt, and particularly to the military operations, which far too often have been rendered imperative. The hon. Member asked what would have happened if the Egyptian troops had been defeated at Tokar. That is a question which might be asked in regard to any military operations. When it is necessary to undertake operations with a moderate force which is deemed to be sufficient by the military advisers, and when the expedition results in a conspicuous success and in the complete fulfilment of its object, it is rather too late to ask what would have happened if the troops had been unsuccessful. The fact is success was ensured by the prudence of the arrangements and gallantry of the troops. When we remember what has occurred in our own times, and how stubborn a foe our own troops have met in those regions, it must be admitted that the expedition could not have been brought to such a successful conclusion without good tactics and valour on the part of those employed. The hon. Member expressed regret for the loss of life that occurred in the action. General regret will be felt for the sufferings of a gallant enemy, as well as for the valuable lives which have been lost on our side; but if the necessities of the situation require warlike operations such losses cannot be avoided. I cannot allow the operations which have been carried on to be spoken of as if they were gratuitous. This movement on Tokar has been advocated by all Egyption authorities. While there has been a difference of opinion as to the policy to be pursued on the Red Sea littoral, as to opening or closing of trade, there has been no difference of opinion as to the occupation of Handoub and Tokar. It has been pointed out by those most anxious to open up the trade of the country that it is necessary to take possession of those places, which furnish the supplies that enable the enemy to make a fresh descent, when they are disposed to do so, on the outposts of Suakin. All agreed that this expedition to Tokar and the occupation of Tokar and Handoub were absolutely necessary, and for a long time past it has been pointed out. [MR. J. MORLEY: How long?] For more than a year past. It has been pointed out for a long time past that this oasis of Tokar furnished a most convenient base for the operating Dervish forces, not only against Suakin, but for keeping up a constant system of persecution and raiding the inhabitants, while Handoub was also a source of annoyance, and was used as a base of operations for the Slave Trade. Within the last month a large cargo of slaves at Handoub was only prevented from being embarked by the active proceedings taken by one of Her Majesty's commanders, who, having notice of the intention, slipped across the Red Sea and prevented the embarcation, and the occupation of Handoub caused the attempt to be abandoned altogether. The hon. Member for Durham asked whether, having now occupied Tokar, the troops will not go on and occupy some further point. I am very glad he has given me an opportunity of answering him on that point. Tokar is so situated that it forms a very convenient place for an attack on Suakin, as well as a more convenient outpost for Suakin, because it is situated 200 miles from any other place of the same character—Kassala on the one hand, and Berber on the other. It is an extremely good outpost, and does not tempt the force that occupies it to attempt to go further. More than that, Tokar is a district which is peculiarly calculated to revive trade and industry in the Eastern Soudan. In fact, it has been described by those advocating its occupation as being the key to the Eastern Soudan. Only eight years ago the region of Tokar furnished about 175,000 cwt. annually of cotton of the finest staple, and superior to that of Egypt proper. It is also rich in the production of the food grains of the country; so that at the time when the population of Suakin was 12,000, not only did it easily provide for the sustenance of that population, but it also supplied a great deal for export. The region in the neighbourhood of Suakin will now be capable of being cultivated instead of being constantly exposed to the ravages of the Dervishes, which rendered it unsafe even for the poor man to cut wood in the bush. Those are the chief reasons why Her Majesty's Government did not object to the occupation of Tokar. No doubt the publicity which is so often given to military operations in this country, and where British influence extends, gave the Dervishes time to collect in greater numbers than those which had occupied Tokar for some time past; but there is no doubt that the military commanders rightly estimated the force required for the purpose, and if they gained the action by the timely and active occupation of certain cover, all military actions are gained by the skilful use of the ground. The larger part of the question upon which the hon. Member for Northampton has based his Amendment has been the occupation of Egypt by British troops, and the continuation of British influence there. He has spoken as if that occupation is to be permanent, and he has expressed incredulity of the professions made from time to time by Her Majesty's Government on that head. If that be seriously said, it may be necessary once more to assert the converse proposition, and to state what the policy of the Government has been, and what it is to be. I say they have given ample proofs of their intention that their occupation and their direct influence in Egypt shall not be permanent. When in the Wolff Convention they reluctantly agreed to set a term to this occupation, it was not without misgiving that their present mission would be thereby endangered; but with a sincere desire to remove the natural objections of the Sultan, and probably the susceptibilities of other Powers, they fixed a date to that occupation, but attaching to the undertaking a distinct condition that in case Egypt was exposed to internal disorders or external dangers they should be free to resume their occupation. I do not think it requires much to show that that was a most necessary condition. The Government have always been opposed to the policy of fixing a final date to the influence exercised by them in Egypt, and to their power of watching over the development and restoration of Egypt's prosperity. We have never maintained that it is necessary for the stability and strength of Egypt that the occupation shall be permanent, nor that it is necessary that, if British troops and agents are withdrawn from it, they shall return there. We hope that the measures which have so far been successful in strengthening the improvement in Egypt will be so increased that Egypt will be in the truest sense independent, that good government will prevail there, and the country be no longer in danger of foreign occupation. We have consistently expressed ourselves as desirous of withdrawing from Egypt whenever the condition of things, administrative, financial, and military, is such that a withdrawal can be safely performed. But there is a great difference between intimating an intention to withdraw and withdrawing before all the world when the state of things justifies it, and giving an undertaking to withdraw—an undertaking which would probably defeat its own object in checking the restoration of Egypt, and in drying up the springs of improvement that have so freely begun to flow. I ask the Committee to consider whether the undertaking to abandon Egypt at a fixed date, in whatever form it might be couched, would not have checked every investment, every measure of improvement, and would have encouraged those who were interested in the anarchy of the country to lay their plans for the future, to wait their opportunity to undo the good that has been done, and possibly necessitate further interference.

What chance would Egypt have had of converting her debt and reducing her interest had the financiers of Europe not had confidence that the occupation by this country would be prolonged?

MR. LABOUCHERE: They would not have paid at all.

*SIR J. FERGUSSON: It might also be said that "base is the slave who pays." This country has taught Egypt better things; it has enabled her to bear her onerous responsibilities, and to place herself in a sound financial position. The burden of her debt has been reduced owing to the confidence entertained in the continued guardianship of Her Majesty's Government. These considerations, I think, will probably not be seriously disputed. Her Majesty's Government remain, as they have been hitherto, looking forward to their ultimate withdrawal from the country. But a mission has fallen to them, not of their own seeking, but by the accident of their position. It was not undertaken by Her Majesty's present advisers; it fell to their predecessors partly from the force of circumstances and partly from the inaction of others, from whom co-operation might have been expected. That mission has been pursued eminently to the advantage of the people of Egypt, with full consideration for the rights of other nations. That mission will be pursued until its objects have been accomplished, and then we may withdraw in the hope that we have conferred permanent good on the country, have given liberty to its people, stability to its Government, prosperity to its finances, and security against occupation in the future.

*(9.30.) MR. J. MORLEY (Newcastle-upon-Tyne): I think those who remember the speech the right hon. Gentleman made in December last must feel some amount of commiseration for him to-night, because he has practically, so far as Suakin is concerned, unsaid all he and the right hon. Gentleman the Secretary of State for War said at that time. I should like to contrast the position of Her Majesty's Government to-day with the position they held at the time the last expedition was undertaken to Suakin. On December 17, 1888, the right hon. Gentleman who has just spoken in favour of advancing to Tokar, which is 40 miles or more from Suakin, assured the Committee there was no intention of doing more then than to defend Suakin. It is quite clear that the House was led into approving those operations on the emphatic assurances given by the right hon. Gentleman, and also by the First Lord of the Treasury, that nothing more was meant than a defensive operation. Lord Salisbury about the same time gave public assurances that nothing was intended beyond the gates of Suakin. What has become of that policy? Then as to our objects in Suakin. The House, the country, and foreign observers were assured that the retention and defence of Suakin were intended to prevent the Slave Trade. Now, the right hon. Gentleman has completely transformed the situation. To-night, instead of talking about preventing the Slave Trade, the right hon. Gentleman talks about opening up avenues to inland trade, and of protecting the population. Formerly we were asked only to look seaward. To-night we are told only to look inland. This is a completely new view, and it confirms me and others in the suspicion that we are slipping—not deliberately driving—into the old position of making an inward move into the Soudan. We are allowing the Egyptian troops to push into the Soudan, and we shall have to send our own troops, as we have sent them before, to rescue the Egyptian troops. The right hon. Gentleman has used two inconsistent terms. He has spoken of Tokar as a suitable "outpost" for Suakin, and also as the "key of the Eastern Soudan." Now, which is it to be? Have you taken Tokar in order to protect Suakin, or have you taken it, and are you going to advise the Egyptian Government permanently to retain Tokar, in order to open up new avenues for trade? What the right hon. Gentleman has said is truly alarming. We know very well that at Cairo there is a military party which proclaims that it is indispensable for the safety of Egypt that the frontier of Egypt should not be, as Her Majesty's Government promised in 1888 it should be, namely, at Wady Halfa, but at Khartoum. Although the issue is not raised to-night in the most advantageous form, or in one

corresponding with its importance, we are raising a protest now because we believe the present course is inevitably destined to land us in disasters as great as those from which we escaped, not very triumphantly, in 1885. As to the considerably larger question raised by the hon. Member for Northampton, I think it will be agreed by hon. Gentlemen opposite that since 1886 the Opposition have never cavilled at any step in the foreign policy of Lord Salisbury. We did not make the Anglo-German Agreement an occasion for attack, and did not offer obstacles to the carrying out of the policy of the Prime Minister in Africa or elsewhere. Therefore, we shall not be suspected of Party motives to-night in calling attention to the position with reference to Egypt which is taken up by the right hon. Gentleman and by Her Majesty's Government. This is a very serious question, and no words ought to be spoken by any of us without the fullest sense of responsibility. But I confess I am by no means satisfied. I ventured to oppose in this House the Egyptian, and especially the Soudanese, policy of the right hon. Gentleman the Member for Mid Lothian, and I am not disposed to press Her Majesty's Government any more hardly now. I am well aware of all the difficulties by which they are surrounded. Still, I do not find the language of the right hon. Gentleman very satisfactory. Although I am afraid the language used has been heard in the time of the preceding Administration, yet it has been used more frequently by the present Administration. The right hon. Gentleman now tells us we must remain in Egypt until our work is done. When will our work be done? In this part of his speech the right hon. Gentleman took two different lines. He first of all said that financially, militarily, and administratively, and in every other respect, everything in Egypt has gone on admirably. And having made that declaration the right hon. Gentleman went on to argue as if our work was hardly begun. That is a most serious inconsistency. If we are to remain in Egypt until our work is done, in the opinion of every English official and of every English officer at the head of an Egyptian regiment, we should have to stay there till the crack of doom. The arguments which are used in favour of an occupation of Egypt have been entirely undermined by the course of events. It used to be argued that we could not leave Egypt because she had a weak, undisciplined, and dangerous military force, such as, under Arabi, had caused the disorder in 1881–2. Now, the Committee are given to understand—and even those painful and detestable events which we have just been discussing shows—that at the present time the Egyptian Army is in good order under British officers, and, therefore, that old argument is, by the admission, and almost boast, of Her Majesty's Government, at an end. Another argument used to turn on the Suez Canal. But the right hon. Gentleman has told the Committee that the state of affairs with regard to the Canal is completely satisfactory. We have the right of transit through it not only for merchant vessels, but also for vessels of war. What more do you want? If there has been an internationalization of the Canal, how are you going to improve the position in that respect? Everybody now believes that if we had trouble in India we should send our material and men round by the Cape, and not through the Canal at all. But be that as it may, we have done all we can in the direction of the neutralisation and internationalisation of the Canal. The right hon. Gentleman talks of the narrow policy of the Opposition, and says we have no friends. It is the Government policy of undefined occupation I call narrow. When you speak of the good we are doing in Egypt, I am not concerned to deny that English administration in Egypt has undoubtedly procured certain advantages for the population of Egypt. The Government have pledged themselves that they will one day come out of Egypt I am proud to think that Englishmen, wherever they go, do procure certain advantages of good order and honest administration. But do not suppose that your position in Egypt costs nothing. Let those who desire a permanent occupation of Egypt ask themselves whether we, as a nation, would be playing a right part before Europe if we deliberately broke the pledges we have given. I advise the hon. Baronet opposite (Sir R. N. Fowler), who naturally looks at commercial interests, to count up how much it has cost us.

*MR. E. STANHOPE: It costs us nothing.

*MR. J. MORLEY: If so, I can, with a still clearer conscience than before, vote for the Amendment of my hon. Friend. Either these 3,200 men are wanted or not; if they are not wanted, I shall vote all the more readily for the Amendment. But that is not what I mean. I think we are playing a bad part before Europe in evading our solemn obligations. We are hampered at every turn by our position in Egypt. Does not everyone know that difficulties in Newfoundland may be created by our position in Egypt, and does not everyone believe it is that position also which gave Germany a hold over us with regard to Zanzibar? Do not let us forget that England with Egypt is a very different Power from England without Egypt, and a far weaker Power. I want to take advantage of this occasion, as I shall of every other that offers, to beg Her Majesty's Government to consider carefully, and with a desire to fulfil the pledges they and their predecessors have given, whether it is not possible to resort to the expedient which was referred to by the right hon. Gentleman himself as being part of an arrangement suggested some time ago, and fix some date at which British troops may be withdrawn from Egypt, and so lessen those very grave responsibilities in Europe to which the presence of the troops conduce. I would ask them to consider whether their present responsibilities are not felt by them to hamper them in most important transactions; and whether the moment when we prudently, wisely, and in conformity with our own pledges leave Egypt, is not a moment which, instead of weakening us and lowering our prestige before Europe, will greatly strengthen our material power and enlarge our diplomatic influence in Europe.

*(9.55.) MR. E. STANHOPE: I am bound to call the attention of the Committee to the fact that we are discussing Army Estimates, and that there is not a single penny in the Army Estimates which affects the main subject of the discussion—the expedition to Tokar. As regards the cost of the troops maintained in Egypt, we are paying the actual cost of the troops if maintained in this country, where they would have to be maintained in any case, and any extra cost incurred is paid by the Government of Egypt. I am, therefore, not going to waste the time of the Committee in following hon. Members through a great many of the topics on which they have spoken. The hon. Member for Northampton (Mr. Labouchere) said he had made 200 speeches on the question before. There must have been 200 replies to those speeches, and those replies seem to have pretty well exhausted the subject. His complaint was that since Her Majesty's Government came into office in 1886 they have taken no steps towards withdrawing from Egypt. Well, at the beginning of 1886 there were 18,000 British soldiers in Egypt; when we came into office there were 10,000; when I myself came into office at the beginning of the next year there were 8,000, and they have since been reduced to 3,000. That, I think, is an earnest of our desire at the earliest moment, consistently with our pledges and obligations, to withdraw our forces. The right hon. Gentleman the Member for Newcastle has said the speech of my right hon. Friend the Under Secretary for Foreign Affairs constituted a remarkable departure from the pledges we have given on this subject. I altogether fail to see any such departure. He has said, in the most explicit terms, that when our work was done we should withdraw from Egypt. My right hon. Friend gave instances of the manner in which we have improved the finances of Egypt, When my right hon. Friend gave instances of how the administration and condition of Egypt are improved he was showing the progress our work was making, and that we were so much nearer the time when that work would be done and our troops could be withdrawn. The right hon. Gentleman has declared that the operations in the neighbourhood of Tokar are inconsistent with the statements I made in December, 1888, when we defined the limits of

our operations and said that it was not intended to advance beyond Suakin but the fact is, that it became necessary to drive away the Dervishes from the immediate vicinity of Suakin, and that could only be accomplished by attacking their strongholds in the neighbourhood. I fail to see that there is the smallest difference between my declarations of 1888 and the policy that has just been so successfully carried out for the purpose of freeing Suakin from the presence of the hostile Dervishes, and to enable us to assist most effectually in putting down the Slave Trade, which the right hon. Gentleman himself some years ago explained was one of the main objects of our occupying Suakin.

*MR. J. MORLEY: Just the contrary. I denied it altogether.

*MR. E. STANHOPE: I have not the quotation before me. However, I say in addition to the suppression of the Slave Trade this advance was rendered necessary in order to prevent the friendly tribes in the neighbourhood of Suakin suffering from starvation, and to enable the trade in the district to be thrown open through that port. The Committee are perfectly aware that Her Majesty's Government have done their best to open up the trade of the interior through Suakin. I remember that in the discussion that took place on this subject in 1888 the right hon. Member for Mid Lothian said, "What I want you to do is to bring the local tribes within the circle of your movement." That is exactly what Her Majesty's Government have been endeavouring to do. For instance, two of these tribes who had formerly been most hostile to us—the Hadendowas and the Amaras—are now in the most friendly relations with the British Government, and actually assisted us against the Dervishes who came from a distance to attack the town, whilst none of the local tribes took any part against us. The steps that have been recently taken are therefore for the interest of both Egypt and Great Britain. The right hon. Gentleman said that the forward movement had been undertaken to satisfy the ambition of the military party at Cairo, but I can assure the right hon. Gentleman that that is not the case. It is true that the military advisers of the Egyptian Government were in favour of these operations being undertaken, but so were the civil advisers. There was no difference of opinion among the advisers of the Khedive, because they recognised that it was absolutely impossible to leave Suakin in the position it occupied with hostile tribes swarming up to its gates and scoffing at the defenders without making an effort to clear the neighbourhood from marauders in the interest of permanent peace. If it should be necessary that the occupation of any of these advanced posts should become permanent, that occupation can be carried out without any strain being thrown upon the British troops, seeing that the Egyptian Army is capable of doing all the work that would be required. I do not think that Her Majesty's Government would have been at all disposed to sanction any operations in the Soudan unless they believed that the Egyptian Army is equal to the strain. After the lessons of 1885, which Her Majesty's present Government remember well, they would be guilty of the most culpable folly if they were to repeat the errors of their predecessors. We hope that we are avoiding that policy, but the steps which have been recently taken have been suggested by a desire to protect Suakin and to put a stop to the constant attacks upon peaceable traders, and it is intended that they shall be strictly limited to accomplishing those two objects. I believe that the operations that have been carried out will be for the advantage of Egypt and will tend to secure the peace of the district.

(10.20.) SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I mean to vote for the Motion of my hon. Friend, to reduce the number of men in Egypt. I am not one of those who think that the British Army is too large; on the contrary, I think it is probably not large enough to defend the Empire. Therefore, I very much object to the employment of our troops where they are not necessary. I will not go into the original question of the occupation. Successive Governments resisted the desire of the Egyptian Government to occupy the Soudan, but at last the Government yielded to the desire with disastrous consequences. It seems to me that if the Egyptian

Army is now so efficient that it can indulge in the luxury, if I may call it so, of re-occupying districts in the Soudan, then the time has come when the British troops are no longer necessary for the protection of Egypt, and they might safely be withdrawn. On the other hand, while I am glad to believe there is a considerable and efficient Egyptian Army, if the Egyptian troops are pushed forward into the Soudan the result will be that we shall retain the British troops in Egypt at the expense of the British taxpayer for an indefinite period. I know the Financial Secretary has declared across the Table that the troops in Egypt do not cost the taxpayers anything; but though the Egyptian Government do pay some £25 a head for additional expenses, yet still a heavy expense falls upon the British taxpayer in connection with this Force. The gross amount of the expenditure on these troops falling upon the Exchequer reaches, I should think, £500,000 at least. It is said that if the troops were not in Egypt they would be elsewhere, but I deny this. Being so many this number of troops have to be added to the numbers of the British Army; and should there be defeat of Egyptian troops in the Soudan, or an invasion of the country, these troops would have to be reinforced. The British Army is the reserve of these troops, and I protest against the British Army being turned at the cost of the taxpayers of this country into a reserve for the British troops that are employed in Egypt. I know there has been a continued hankering on the part of British officers engaged in Egypt after a reconquest of the Soudan, and there has also been that hankering on the part of Egyptian Ministers. But up to the present successive Governments have resisted that policy. In the last Debate Her Majesty's Government expressly declared that their policy in regard to the Soudan was to confine operations to Suakin. I extracted a promise that the troops should not be permitted to go to Handoub, seven miles from Suakin, and yet now they have gone to Tokar, 60 miles, I believe, from Suakin, for this advance, and the consequence is this country is practically responsible. It is said that this policy was forced upon us because Suakin was the subject of continual attack, but I deny that altogether. I have followed this policy throughout, and it has invariably happened, when raids were made in the neighbourhood of Suakin, that those raids had been provoked and egged on by English officers in Suakin. I assert it is so, and that is probably equally the history of the present expedition. I refuse to believe that the tribes formerly hostile are now friendly, and I ask for the evidence of the allegation. I cannot help connecting this policy with another very different part of Egyptian policy, for I suspect that the advance on Tokar has been thrown out as a sop to overcome the resistance offered by the Egyptian Minister to the scheme for the improved administration of justice. The Committee are told that we are gradually retiring from Egypt, but I do not think that is really so. The whole British Army is still at the back of the British troops there, ready in case they should be wanted. Not one step is being taken in the way of withdrawing from Egypt; on the contrary, there is a great deal of truth in the assertion of the French that every step taken is towards Anglicising the Administration. I maintain that the Egyptian Army, having now reached such a point of efficiency, is quite equal to the protection of Egypt proper. By taking the aggressive they are postponing *sine die* the period when the British troops can be withdrawn. With this view I shall vote for the Motion of my hon. Friend.

*(10.24.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think we have had a full discussion, and I now make an appeal to the Committee to allow the Vote to be taken now. There has been a very full discussion of a very important question, and there will be many other opportunities during the course of the present Session, when we shall hear the same speeches from right hon. and hon. Gentlemen opposite. I trust the Committee will allow a Division to be taken now upon the Amendment, believing that the discussion on the present occasion has been sufficient to justify that request.

(10.25.) DR. CLARK (Caithness): I am afraid the right hon. Gentleman has not heard much of the Debate, and is not aware of its importance.

Mr. W. H. SMITH: I have heard a great part of the Debate, and I am quite aware of the importance of the subject.

*Dr. CLARK: I have given notice of an Amendment, which has been drawn by the Under Secretary into this discussion. My Amendment raises the question who should pay for the troops, while the Amendment of my hon. Friend asserts that the troops are not necessary. For my own part, I did not think that two Debates would be necessary, but I consulted my hon. Friend the Member for Northampton, who thought the wisest step was to put down both Amendments, the one affirming that the men were not required, and the other, in the event of the former being negatived, raising the question as to who should pay for them. From a European standpoint our honour is engaged to leave Egypt. Nine years ago Lord Dufferin gave the solemn pledge that we were only going to Egypt to restore order, and seven years ago the noble Lord the Member for Rossendale in this House indicated six months as the period for our withdrawal. But to-night we have had a statement from the Under Secretary which, truly interpreted, comes to this: that British troops will remain in Egypt till the millennium. Their prolonged stay there is in flagrant contradiction of former declarations of Her Majesty's Government. I expected to hear from the leaders of the Opposition some statement of policy in reference to Egypt, because they were responsible for our going to that country in the first instance, which I believed to be the greatest crime against liberty during the last quarter of a century. What might have been done was to neutralise Egypt precisely as Belgium has been neutralised by the Great Powers of Europe; and though I do not approve of the policy as applied to Belgium, still it is better than this we are pursuing in Egypt, remaining in occupation because we choose to think that if we withdraw some other Power will enter into occupation. We have been told of the benefit our presence in Egypt has caused, but we have not been told of the harm we have done. We have intervened on behalf of the bondholders, the Egyptian people having no more responsibility for the loan than the people of Great Britain would be responsible for a loan raised by the Prince of Wales. There was a portion of the loan which the Egyptians were responsible for, and to get sanction for borrowing that money this man Ismail had to call together the Egyptian Parliament. The Egyptian Chamber never proposed to interfere with the money under the Controllers; all they asked for was the right of voting that portion of the Budget relating to their own country. Nevertheless, this country intervened, saying that if this attempt at controlling the money so raised were persisted in we should be compelled to resort to armed interference. Have we done anything to bring about self-government in Egypt? We know what Lord Dufferin did. He went there and wanted to re-constitute the Chamber, but even that reform has not been carried out by the Khedive and his advisers. Then, again, you are to-night attempting to defend the policy of going outside Egypt; I refer to the action now being taken in the Eastern Soudan. I do not know what you are doing there at all. I suppose it is the old story which we have always heard in these cases—you are putting down the Slave Trade. I never knew any proposal to grind anybody's axe, or to grab anybody's territory, without hearing the same pretext put forward. You want to put a stop to slavery and prevent slaves from entering the Egyptian and Turkish harems. You can easily do this by preventing the slaves from entering Egyptian territory; but it would seem that the main supporters of the Slave Trade are those who are now voting in the Councils of the Khedive. We have just succeeded in murdering a thousand or so of the unfortunate Soudanese on this pretext. We have always been told how easily Suakin was defended; but now we are urged to remain there for the purpose of crippling the Slave Trade, because Suakin is so defenceless. Then we are advised to take Tokar, Handoub, Trinkitat, and the whole of that section of the Eastern Soudan. But there is another pretext besides that of the Slave Trade, and it will, perhaps, be more popular with some Members on this side of the House, because it relates to the development of a trade in which their constituents are engaged. Tokar is the key of the Eastern Soudan, and we are occupying Tokar to strengthen Suakin and open the door of the Soudan to our trade. We are told also that the frontier tribes, who used to be our most bitter enemies, are now assisting us against the Dervishes. Whither does this argument lead? The result will be that you will have to go on, step by step, into the interior of the country, ever advancing to put down the resisting Dervishes until, in the end, you will be again obliged to occupy equatorial Africa. This is what those in Cairo want. They say that without Khartoum Cairo cannot be controlled, nor Egypt rendered safe, and the result will be that you will end by replacing on the people of the Soudan the horrible Turkish and Egyptian yoke. The best policy you can pursue would be to direct the Egyptians to retire from Suakin altogether, and come to terms with the *de facto* rulers of the district. Hand over Suakin to Osman Digna, and withdraw the Egyptian troops altogether. What are you occupying the district for? It is said that Italy wants Kassala and Berber, and is afraid it may lose its hold on that district. It is, therefore, preferring a claim against that of Egypt; but as to ourselves, I say that our policy is to retire altogether. We have no business there. The Suakin district is no portion of Egypt; and if we want to develop our trade there, we ought to do it in the only practical way—by coming to terms with the *de facto* rulers. We have no right to attempt to prosecute our trade by bringing back the Soudanese under Egyptian and Turkish rule. There is one question which the right hon. Gentleman has omitted. I will put that question, and will answer it myself. What, I ask, would have occurred if the Egyptians had been defeated? Why, you would have sent troops from Cairo to Suakin, from Malta to Cairo, from Great Britain to Malta and Gibraltar. The right hon. Gentleman who has charge of the Estimates takes credit for reducing the amount from 10,000 to 3,300 men; but while you have a corporal's guard at Suakin you will send men from your nearest ports if the life of one of that guard should be endangered. ["Hear, hear" *from the Ministerial Benches.*] Hon. Members cheer that statement; that is honest; but why do you take credit on the other side? You tell us you are going away, and yet if one man is imperilled you are ready to send any number of men to assist him. We gave this pledge nine years ago: We said that when we had accomplished the work we went there to do we should leave the country. We have done that work; why, then, do we remain? You have put down anarchy in Egypt, and you have re-constructed Egyptian credit on what you regard as satisfactory lines; your Administration is now perfect, if we are to believe the statements of the Under Secretary for India, who so strongly eulogises our Egyptian Administration. Anarchy has ceased, the Army is thoroughly under control, being well developed and thoroughly capable of coping with the Soudanese, and yet we remain. I have been amused with the claims made as to the good we have done in Egypt. A great deal is said about the neutralisation of the Suez Canal. The only real way of neutralising the Canal would be to prevent ships of war from passing through it at all. The only Power which has broken the neutrality of the Canal is England. At the time of the so-called Arabi insurrection we sent troops through the Canal, and yet Turkey and Egypt, who recognise the neutrality of the Canal, allowed those ships to pass through. I am not at all satisfied with the explanation the right hon. Gentleman has given the Committee to-night. If you think France or any other country would come there, then probably you would remain.

*SIR J. FERGUSSON: The hon. Member has misunderstood me. What I said was that we should claim to return if there were any attempt to annex the territory.

MR. LABOUCHERE: No, no.

DR. CLARK: You would claim the right to return if there were any intention on the part of any other Power to invade Egypt. But once you leave that country you will not find it easy to get back. The only things that made it possible for us to go there at all were the name and fame of the right hon. Gentleman the Member for Mid Lothian, though it was said at the time that such action was a sin against God and man.

You have placed a burden on Britain and a burden on Egypt, though by irrigation works you have done something to make the burden easier, and you have now a revenue of £650,000. Having got the sanction of Europe to go into Egypt, and having now done your work, you can leave, obtaining a guarantee from Europe that no one will undo that work, and that the independence and neutrality of Egypt will be observed just as in the case of Belgium.

(10.48.) MR. LABOUCHERE: Mr. Courtney, I have always been anxious to pursue a conciliatory policy towards Her Majesty's Government. The Committee will, therefore, remember that in moving this reduction I said that if I received satisfactory assurances from Her Majesty's Government I should not press it to a Division. One assurance I asked for was, that Her Majesty's Government would evacuate Egypt within six months, or, if they could not evacuate it in that time, that they would inaugurate negotiations with Foreign Governments in order to make a Treaty placing Egypt under an European neutrality, and thus enable them to leave Egypt. I cannot say that the assurances which have been given to me are satisfactory. The right hon. Gentleman the Under Secretary for Foreign Affairs went further than any Government has gone before in telling us that this temporary occupation would be a permanent one. The right hon. Gentleman admitted that the Government of Egypt was a permanent one; that the British Army was permanent; and that Egypt was able, without extra taxation, to pay the expenses of her Administration, besides the huge interest upon the bonds. But he went further, and gave as his reason for staying in Egypt that we should remain there until she was no longer in danger of foreign occupation. [Sir J. FERGUSSON indicated assent.] Well, the right hon. Gentleman admits that. He says that we are to remain in Egypt until, in the estimation of the Government, Egypt is in no danger of foreign occupation. Why, I never heard such reckless words in my life from a Minister of the Crown. By whom is Egypt in danger of foreign occupation beyond us? Neither the Germans nor Russians are going there. No; this is a distinct insult to France.

I have observed that the right hon. Gentleman, following in the steps of his respected Chief, never loses in this House an opportunity of indirectly insulting France. Will the right hon. Gentleman withdraw from Egypt if France assures Her Majesty's Government that she has no intention of going to Egypt? No; the right hon. Gentleman and his Colleagues will not believe France. They say, "We shall remain in Egypt so long as it is likely that some other Power will occupy Egypt, in order to prevent that contingency." Can you interpret the right hon. Gentleman's words in any other way? With regard to the occupation of Tokar, the Government would have no *locus standi* for the occupation of Egypt unless they started this new idea of further occupation. There are plenty of persons in Cairo and in London who are exceedingly anxious that we should remain in Egypt, and, perceiving the difficulty of Her Majesty's Government, who undertook to leave when our work was done, they pushed on this project of the occupation of Tokar, and, as that place cannot be protected by the guns of the Fleet, a considerable force will be required. They will say, "There are not sufficient Egyptian troops; you must remain here to maintain order." And it would not in the least surprise me if we had troubles in Cairo and Alexandria promoted by these speculators, in order to prevent our coming away. It is gratifying to me to think who will have to vote with me to-night. You, Mr. Courtney, will remember that I brought forward a Resolution in 1880, on the occasion of one of these abominable massacres near Suakin. Who voted with me? All the Conservative Party. The right hon. Gentleman the Member for Derby called it "a dirty trick." I protested at the time; I protest now. My right hon. Friend (Mr. Morley) was one of those dirty tricksters. We here are true to our opinions. Who are going to vote with us to-night? Are hon. Gentlemen opposite going to free themselves from this allegation that they are dirty tricksters? Is my hon. Friend (Mr. Jesse Collings), who voted with me in 1880, going with me to-night? Oh, he is not here; he has already gone to the Lobby. The hon. Member for

Bordesley Division voted again and again against Her Majesty's Government. Will he stand to his guns to-night? You know he is a man who never changes his side; he is a man of principle. I hope I shall see hon. Gentlemen opposite go into the Lobby with me. In any case, instead of having received the assurance for which I asked, I have elicited from Her Majesty's Government that they intend, so far as I can see, to remain until Doomsday in Egypt; and, having found that their sly hints that they might some day come away under certain impossible conditions were ill received by their supporters in different parts of the House, I shall certainly press my Amendment to a Division.

(11.0.) The Committee divided:—Ayes 52; Noes 124.—(Div. List, No. 61.)

Original Question again proposed.

*(11.12.) MR. MORTON (Peterborough): I desire to move the reduction of the Vote by 30,000 men, and I have three reasons why I wish to urge this on the Committee, one of them being what I consider a very special reason: In the first place, I object to the cost of the Army, and think that the money might be more usefully spent in other directions. I do not desire to reduce the pay of the men; on the contrary, I would vote for their receiving more money. My next reason is that this country is doing practically nothing to abolish war and to promote arbitration. [*Ironical cheers.*] Hon. Members may laugh, but that is one of the points I want to go into. We have a class of men in this country called a West End class, who live by this sort of thing. They live an idle life, and I think we should be doing away with them by promoting arbitration. [*Cries of* "Divide!"] I hope I may not be interrupted—it should not be forgotten that this Debate has been mainly taken up by hon. Gentlemen on the opposite side of the House. I do not mean to say I desire to altogether destroy this West End class, but I want to see them doing useful work instead of spending their time in betting and baccarat playing, which seems to be peculiar to them. The late John Bright, who knew a great deal about this sort of thing—[*Loud laughter*]—I do not mean to say he knew a great deal about fighting—the late John Bright told us that war was brought about by Imperial and Royal Families. Royal Families learn nothing but the art of fighting. That seems to me to be the most detestable work we as a nation can have to do, and I would like to see them better employed. The American people have set us a good example in this matter. They have said to their Ministers, "We will not have an Army," their ground for that being that experience has taught that if a Government has a large Army they themselves or the officers will find work for it to do. Therefore, though some people hold a contrary opinion, my belief is that if you want to put an end to war you should put an end to the Army. Let those gentlemen from the West End of London go out and fight themselves, and then perhaps they will not be so ready to go to war. My second point, as I have said, is that this country has done nothing towards promoting arbitration. I know we accepted arbitration with the American Government, but that was because we were afraid to go to war with a big Power. We bully little Powers, and do not talk about arbitration with them, but we are prepared to arbitrate in the case of a big Power like the United States. I desire to see this country declare itself in favour of arbitration as an example to other Powers. Arbitration is a matter on which something ought to be done, and until the Government do something in that direction, they will not, in my opinion, be doing their duty. Let them throw overboard these titled classes at the West End of London; they are no good to anyone. Let them, instead of fighting, emigrate these people to the backwoods of Canada, or to Australia. My third point, and one upon which I shall dwell a little longer, is the question of keeping soldiers in Ireland. I have no objection to quartering soldiers in Ireland. What I object to is their occupation. We were told in 1885 by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) that there are 30,000 soldiers in Ireland permanently encamped as in a hostile country. I object to the 30,000

soldiers in Ireland on that ground. I also object to soldiers being employed to assist in the collection of rents. That is undoubtedly why these men are kept there. They cannot get soldiers to collect rents in England. If I asked for soldiers to collect my rents, the Secretary for War would tell me he had none to lend me. Then, I say, we have no right to employ them for that purpose in Ireland. It may be said that if these men are not kept in Ireland, they must be kept somewhere else, and that, as a matter of fact, these men are sent to Ireland as a matter of convenience. But that is not correct; for everyone knows the soldiers are kept in Ireland for the purpose of overaweing the people and for the sake of governing the country as a conquered country. That I object to; and I say that these soldiers are absolutely lost to us, and should be removed. I object to soldiers being employed in carrying out cruel and wicked evictions, and assisting landlords to collect their rents. That is most degrading work, and must be very hateful to the soldiers themselves. Then the soldiers are used for the purpose of interfering with the rights and liberties of the people—for stopping public meetings, for instance. That, also, I object to; and taking all these things together, I say I have good ground for moving a reduction in the Army. I may not carry my Motion now. [*Cheers.*] It is all very well to cheer that; but the time is coming when I shall carry it.

Motion made, and Question put, "That a number of Land Forces, not exceeding 123,696, all ranks, be maintained for the said Service."—(*Mr. Morton.*)

(11.25.) The Committee divided:—Ayes 25; Noes 142.—(Div. List, No. 62.)

Original Question put, and agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £5,632,700, be granted to Her Majesty to defray the Charge of the Pay, Allowances, and other Charges of Her Majesty's Army at Home and Abroad (exclusive of India) (General Staff, Regiments, Reserve, and Departments), which will come in course of payment during the year ending on the 31st day of March 1892."

(11.35.) DR. CLARK: In moving the Amendment which stands in my name, I should like to point out why the British taxpayer ought not to pay for the occupation of Egypt. My contention is that the bondholders should pay for the useful work which is being done by the British troops in Egypt, for good interest is being secured to them. Were the Egyptian people wealthy no doubt they ought to be called upon to pay. But we know that this occupation took place in the interests and for the benefit of the bondholders, whose case was taken in hand by Messrs. Fruhling and Goschen, and I say that that firm ought to pay for the man in possession. We are now told that the Egyptians in their last financial year had a surplus of £650,000. We know that they are saving £300,000 a year by the conversion of their debt, and that this is one of the results of British intervention. Surely the people who are benefitting by it should pay the cost, and not the unfortunate British taxpayer. The right hon. Gentleman the Secretary for War has said, somewhat irregularly, that we pay nothing at all in respect of the occupation of Egypt, but may I draw his attention to a Return, signed by "Edward Stanhope," and presented to Parliament, which shows in the amount included in the Army Estimates for military purposes in the colonies there is a sum of £135,000 for the pay of the General Staff and other expenses in connection with Egypt. If you look at the final total you will find you are going to spend over £300,000 this year in Egypt. The last Return given to this House set the cost per man maintained there at about £105, and of this Egypt pays only £25, the other £80 being defrayed by the British taxpayer. The Secretary for War suggested that we required these men, and that it was immaterial whether they were stationed in Egypt or in Cork or in Scotland. But that is not the case. How do we treat our colonies? If we look at the Return we find that the Mauritius pays us £30,000 for troops; and if you take the case of the Straits Settlements, where we maintain a very considerable force, we compel them to pay a sum of £100,000 to cover the cost. In Ceylon, as in the Straits Settlements, the cost under Vote 1 is £52,000, and Ceylon is called upon to pay £72,500.

Even Malta, where we keep a garrison for Imperial purposes, has to pay a sum of £5,000. Now, apart from the charge for arms, barracks, hospitals, and various stores, we spend on men in Egypt a sum of £227,122, and, including the charges above referred to, over £330,000, and the only portion paid by Egypt is £87,000. It has been decided by the House that 3,320 men shall remain in Egypt. A majority of hon. Members have voted in favour of that. If the Egyptians were not so prosperous—if they had not got a surplus of £650,000, with a prospect of doubling it in the forthcoming year—I, perhaps, should not object to the Vote; but this being the state of the case, I feel bound, on behalf of the taxpayers whom I represent, to object to this country being taxed for the benefit of the Egyptians, who are so prosperous. Therefore I move a reduction of the Vote. The right hon. Gentleman the Member for Mid Lothian some years ago said he regretted the course he had taken when he permitted troops to be sent to Egypt for the benefit of the bondholders. The bondholder has got his pound of flesh from the Egyptians already. The people of that country are very much better off than they were before, and therefore, as I said before, I object to the British taxpayer being taxed under the circumstances. Take the case of India. That is a poorer country than Egypt, yet you do not treat it in the same fashion as you treat Egypt. If you did, there would be a considerable burden thrown on the British taxpayer for the benefit of the Indian ryot. If you were making Egypt pay on the same basis as you make India pay, she would have to contribute at least £500,000 a year towards the Imperial Finance. But you do not; and, therefore, I repeat that I am against this organised philanthropy. I beg to move, consequently, the reduction of the Vote.

Motion made, and Question proposed, "That a sum, not exceeding £5,532,700, be granted for the said Service."—(*Dr. Clark.*)

(11.48.) MR. BRODRICK: The hon. Member is mistaken in supposing that this country pays any money for the benefit of the Egyptian bondholder or any other person. For everything connected with the troops in Egypt beyond the establishment Egypt pays. I assure the hon. Member that we have carried out a pledge given to the House that the Army of Occupation in Egypt will be brought within the sum necessary for its defence. Every single item of expense has been duly discussed between the two Governments.

DR. CLARK: But why do you not charge them on the same basis as you do Ceylon and the Straits Settlements?

MR. BRODRICK: They are on an entirely different system. We have only done our duty in asking for the contributions we have received from the colonies. I repeat we have thoroughly carried out the pledges we gave four years ago. I hope we may now be allowed to take the Vote.

(11.51.) MR. LABOUCHERE: Here is a Vote of £5,000,000, and we are asked to take it after one or two remarks from a Member of the Government. I hardly think we should be doing our duty to our constituents if we allowed this Vote to be taken. I perfectly admit that the Government are following up the assurances they gave to the House of Commons, but we contest the whole principle upon which this Vote is estimated. It is not a mere question of money. We say that for the last nine years there have been, more or less, 3,000 or 4,000 men in Egypt, and if we were not occupying Egypt we should not require those 3,000 or 4,000 men for the protection of this Empire. My hon. Friend has shown, by his references to Ceylon and to the Straits Settlements, that we are taxing our own countrymen for the benefit of Egypt, while we make the colonies pay for the British troops which are stationed there. If you make Ceylon and the Mauritius pay on the basis you now do, surely you ought to insist on the Egyptian Government paying for the troops there on a similar basis. Seeing that the troops are sent to Egypt to maintain order and to defend the Egyptian frontier against attacks, I suggest that we should demand from Egypt neither more nor less than we obtain from our own colonies, and, speaking as the Representative of the taxpayers of Northampton, I say that they join in the protest against paying 1s. in order that the Southern Frontier of Egypt may be defended against the Soudanese. I think we ought to have some sort of reply from the right hon. Gentleman the Secretary of State for War. I cannot think that any hon. Member would say that Egypt ought not to pay these expenses. We have British officers there, and I suspect that even if we are not paying them they are qualifying for pensions. Again, we keep more troops in Malta than are really necessary, in order that we may have a force within easy reach of Egypt in case of necessity. An hon. Member opposite just now said there are at the present time fewer British troops in Egypt than ever before; but if he will carry his mind back to the time the right hon. Gentleman the Member for Mid Lothian was in power he will remember that at one time the troops were reduced to a corporal's guard at Alexandria, and they were only retained there in consequence of sickness.

It being Midnight, the Chairman left the Chair to make his report to the House.

Resolution to be reported to-morrow.

Committee also report Progress; to sit again upon Wednesday.

ARCHDEACONRY OF CORNWALL BILL [LORDS]—(No. 177.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 17.)

Considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2.

Amendment proposed, in page 1, line 24, to leave out from the word "Where," to the word "borough, in line 25 inclusive, and insert the words—
Mr. Labouchere

"Section Four of 'The County Electors Act, 1888,' shall be deemed to have applied Section Thirty of 'The Parliamentary and Municipal Registration Act, 1878,' to a parish situate in a Parliamentary but not in a Municipal borough, and to have provided that."—(*Mr. Knowles.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. H. J. WILSON (York, W.R., Holmfirth): I beg to move that we do now report Progress.

*MR. LEES KNOWLES (Salford, W.): I hope the hon. Member will not press his Motion. The object of the Bill is simply to remove a doubt on a technical subject, and this Amendment is intended to meet a point suggested by the right hon. Gentleman the Member for Wolverhampton in an Amendment which he has proposed to the Registration of Electors (Acceleration) Bill. The Bill contains only two clauses.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I think the very fact of absence of the right hon. Member for Wolverhampton is a reason for reporting Progress.

*MR. LEES KNOWLES: I have no wish to press the Amendment, and I proposed it chiefly in deference to the opinion of the right hon. Gentleman the Member for Wolverhampton.

MR. CREMER (Shoreditch, Haggerston): If the Bill is of the brief and non-contentious character indicated by the hon. Member in charge of it, there can be no objection to two or three days' delay.

Committee report Progress; to sit again to-morrow.

REGISTRATION OF VOTERS (SCOTLAND) BILL.—(No. 64.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at ten minutes after Twelve o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Tuesday, 24th February, 1891.

STANDING COMMITTEE.

Report from the Committee of Chairmen of Standing Committees, That they have (in pursuance of Standing Order No. L.) appointed the Lord Herschell Chairman of the Standing Committee; read, and ordered to lie on the Table.

House adjourned at half past Four o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 24th February, 1891.

ROYAL IRISH CONSTABULARY FORCE FUND.

Copy ordered—

"Of Treasury Minute, dated February, 1891, on a Deficiency in the Royal Irish Constabulary Force Fund."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 118.]

ARMY (STOPPAGES OF PAY).

Address for—

"Return of the average number, during the year 1890, of Private Soldiers in each of the No. 1 Companies of the Line Battalions now stationed at Aldershot."

"Of the total amount of Stoppages from the pay of the Private Soldiers in each of these Companies, thus classified: Stoppages for tailor's bill or repairs of clothing; for shoemaker's bill; for regimental necessaries; for barrack damages; for deficiencies in old clothing; for washing; for hair cutting; for library; for fines; for repairs of arms and accoutrements; and remaining Stoppages."

"And, of total for each Company, and average per Soldier."—(*Colonel Nolan.*)

QUESTIONS.

INDIAN RAILWAY ANNUITIES.

Mr. MUNRO FERGUSON (Leith, &c.): I beg to ask the Under Secretary of State for India whether it is intended to renew the system in practice before February, 1885, under which the Government of India converted Railway Annuities into India Three per Cent. Stock, it being at that time temporarily suspended with the understanding that it would be renewed after 1888; and whether the advantages of that operation to the Government of India were considerable?

The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): There is no present intention of renewing the offer to holders of Indian Railway Annuities to convert them into India Three per Cent. Stock. When the practice was suspended there was no undertaking that it would be renewed at any particular time, though the Secretary of State in Council may, perhaps, renew it if he should think fit. The direct advantages to the Government from the operation were considerable. In 1888, however, Parliament authorised the creation of a limited amount of India Stock in connection with the construction of railways by the agency of companies; and under this power a certain amount of Stock has been annually issued on public tender. It is not desirable to be offering Stock to the market in two different ways at the same time.

CIVIL SERVICE SECOND DIVISION CLERKS.

Mr. TUITE (Westmeath, N.): I beg to ask the Secretary to the Treasury if he will take into consideration the grievances of certain clerks in the Inland Revenue who entered the Second Division from the Excise branch, and were next transferred to the Taxes Surveying branch on the faith of an assurance from their Board that they would thereby become eligible upon having completed a service of 10 years, inclusive of their Excise service, to compete for promotion as assistant surveyors; whether the Treasury afterwards repudiated this assurance by stopping the promotion of the first successful competitor, on the technical distinction that his 10 years' service was not wholly in the Second Division; and whether, in consequence of this decision, these clerks have been recalled to the head office and placed at the bottom of the establishment, to the great detriment of their position and prospects; and whether, having regard to the practical equality of the service rendered and the service formally required, and the exceptional rules applying to the Taxes branch, also to the fact that the claims of these officials have the full support of their own Department, he will endeavour to mitigate the hardship of their position by recommending the Treasury to withdraw its objection, and permit their Excise service to rank in the qualifying period as it has since been modified under the Ridley Scheme?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am informed that the Board of Inland Revenue were under the impression that in the case of certain clerks in the Inland Revenue who entered the Second Division from the Excise branch, and were transferred to the Tax Surveying branch, service in the Excise branch would count as part of the period of 10 years necessary to qualify them for admission to the Tax Surveying branch, and that competitors were so informed. The certificate of the Civil Service Commissioners was, however, necessary before appointment to the Tax Surveying branch, and those Commissioners pointed out that under the Order in Council it was clear that none but service as Lower Division clerk could count as part of the qualifying period, and they refused to certify. The Civil Service Commissioners are, of course, bound by the Order in Council; the Treasury has no power to override it. I may add that there has been no repudiation by the Treasury of any assurance given by the Inland Revenue Department, and I am informed that only one clerk successfully competed for the position in the Tax Surveying branch.

BANK NOTE ISSUES.

MR. ATKINSON (Boston): I had intended to ask the Chancellor of the Exchequer if he will state whether it is his intention to propose any change as to existing issues of bank notes this Session? but I am informed that the right hon. Gentleman is suffering from a severe cold, and is unable to be present. I will, therefore, postpone the question.

STRENGTH OF THE ARMY, MILITIA AND VOLUNTEERS.

LORD HENRY BRUCE (Wilts, Chippenham): I beg to ask the Secretary of State for War if he will inform the House what is the number of men under the present reduced standard the Regular Army is still short of; what is the number of men the Militia is still short of, and how many captains of companies in this branch of the Service are deficient; and what is the number of men the Yeomanry is still short of, and how many officers in this branch of the Service are deficient?

MR. HANBURY (Preston): Before the right hon. Gentleman answers the question may I ask how many men beneath the standard chest measurement, height, and weight were recruited in 1890?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): The European regiments and corps are short of their establishment by 1,657 men, which is a smaller number than is to be expected at this season, when the drafts for India have recently started. Colonial corps are nominally deficient 2,391 non-commissioned officers and men, but some of the corps have not yet been raised. The deficiency in the Militia amounts to 23,731 non-commissioned officers and men; and there are 102 captains' commissions vacant. The Yeomanry is short by 94 officers and 3,389 non-commissioned officers and men of the full establishment. In reply to the hon. Member for Preston (Mr. Hanbury) I may say that the number of recruits enlisted below the standard in one or other of the above particulars is, exclusive of men enlisted at the headquarters of regiments, 7,975.

MR. HANBURY: Was the number 6,000 in 1889?

MR. BRODRICK: I think it was rather less.

MANICALAND.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether, when the news of the invasion of Manicaland by the South African Chartered Company reached Lourenço Marques, the Portuguese Governor of the Province officially complained to the British

Consul (or Vice Consul), stating that Mr. Colquhoun was probably not aware of the *modus vivendi*, and begging the Consul to inform him of it; whether a letter was written by the Consul to this effect, and sent up to Mr. Colquhoun under the care of a Portuguese lieutenant and five Portuguese soldiers; whether, on their arrival at their destination, they were all detained as prisoners; and whether all Papers in respect to this matter will be laid upon the Table of the House?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Governor General of Mozambique made a verbal communication to the Acting Consul at Mozambique, not at Lourenço Marques, respecting events in Manica, and the Consul, not being aware that the agents of the South African Company had received news of the *modus vivendi* from the Cape, sent through the Governor General a letter to inform them of it. Inquiry has been made as to the reported arrests, and we have received information that there is no truth whatever in the statement, and that the messenger bearing the Consul's letter returned with an acknowledgment of its receipt. The correspondence on the subject will be included in the next set of Papers respecting South African affairs.

MASHONALAND — LOBENGULA'S CONCESSIONS.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Secretary of State for the Colonies has received a letter from Mr. Arthur Douglass, a Member of the State Legislature, who is now in England, and representing the interests of Mr. Wood and others in regard to a mining concession from Lobengula granted previously to that granted to Mr. Rudd; why no answer has as yet been sent Mr. Arthur Douglass; and whether, in the event of Mr. Arthur Douglass showing that this previous concession was granted, Her Majesty's Government will see that those to whom a Royal Charter was granted, on the assumption that Lobengula could grant a mining concession to them over his entire territory, do not retain any power or any rights over such portions of the territory that are included in the previous concession?

SIR J. GORST (for Baron H. DE WORMS): The answer to the first paragraph of the question is, Yes; to the second, because his letter was received only so recently as the 19th instant; and to the third, that the matters referred to in this question and in Mr. Douglass's letter require full consideration before Her Majesty's Government expresses an opinion upon them. A reply will be sent to Mr. Douglass as soon as possible.

INFLAMMABLE LIQUIDS BILL.

SIR STAFFORD NORTHCOTE (Exeter): I beg to ask the Secretary of State for the Home Department if he will postpone the Second Reading of the Inflammable Liquids Bill for such reasonable period as will enable representatives of the mineral oil trade to consider the details of the measure, and submit to the House of Commons such Amendments as they may deem necessary in its clauses?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; I have already stated, in reply to a question in this House, that I will take care that a sufficient interval shall elapse before the Second Reading.

THE WEST INDIES.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Under Secretary of State for the Colonies whether, in view of the trade depression in the West Indies, the Government will reconsider their determination not to assist the proposed lines of steamers between those islands and Canada and the United States?

SIR J. GORST (for Baron H. de WORMS): The Secretary of State has approved of the Government of the Leeward Islands subsidising a line of steamers between those islands and Canada, which is also subsidised by the Dominion Government, and he is prepared to consider any proposals that may be made by any other West Indian Colonial Governments for granting similar subsidies; but if the question refer to a subsidy from Imperial funds, no such proposal has been made, or, if made, could be entertained by Her Majesty's Government.

ROSSLEA NATIONAL LEAGUE.

Mr. HENRY CAMPBELL (Fermanagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state on what grounds he directed the suppression of the Rosslea branch of the National League; is he aware that the police have been constantly parading the neighbourhood; can he explain why, on 31st January, District Inspector Dagg and four constables kept marching round the Catholic Church during the celebration of mass; if it has been brought to his notice that the police assaulted a Mr. Smith, a miller of Rosslea, and broke the door of the mill off its hinges, in search of a meeting of the branch; and under what authority they took this course?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The Rosslea branch of the National League was suppressed because it persisted, after being twice warned, in passing and publishing in certain newspapers resolutions inciting to intimidation and boycotting. The police have since patrolled the neighbourhood at such times as they deemed necessary. The Constabulary authorities report that the allegations contained in the third and fourth paragraphs are without foundation.

THE DUBLIN POST OFFICE

Mr. HENRY CAMPBELL: I beg to ask the Postmaster General whether the seven hours' system has been introduced into the General Post Office, Edinburgh; and, if so, why the same system has not been put in operation in Dublin?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): The seven hours' system is not yet in force in Edinburgh, but it is hoped that it will be possible to introduce it in the clerical branches both at Dublin and at Edinburgh on Monday, the 2nd of March.

IRISH DISTRESS.

Mr. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a resolution, passed by the Scarriff Board of Guardians, stating that the ratepayers cannot bear the great strain involved by a rate adequate to cope with the exceptional distress which exists in the Union, and suggesting the carrying out of reproductive relief works, such as the Scarriff drainage scheme and the projected railway from Ennis to Scarriff; and what steps he proposes to take upon it?

Mr. A. J. BALFOUR: A resolution passed by the Board of Guardians of the Scarriff Union has been received, and further inquiry will be made.

Mr. SEXTON (Belfast, W.): In the event of the ratepayers being unable to bear the strain involved by a rate, what steps do the Government propose to take to relieve them?

Mr. A. J. BALFOUR: At present I am not prepared to say.

Mr. COX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will comply with urgent local demands for the erection of a fishing pier at Farrihy Bay on the West Coast of Clare; and, if so, when the works will be commenced?

Mr. A. J. BALFOUR: There is, I believe, no distress in the locality mentioned that cannot be met by the resources of the ordinary Poor Law. I may, at the same time, mention that some employment is afforded in a locality not far distant in connection with the Kilrush and Kilkee Railway.

MESSRS. DILLON AND O'BRIEN.

Sir THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the result of his inquiries as to the condition of health of Messrs. John Dillon and William O'Brien; and whether they have both been removed to the infirmary from the ordinary cells of Galway Gaol?

Mr. A. J. BALFOUR: It is true that the two gentlemen are now in the infirmary ward of Galway Gaol, but I believe the Report as to their health is satisfactory.

Mr. SEXTON (Belfast, W.): Has the doctor made any Report as to the probable effect of their imprisonment?

Mr. A. J. BALFOUR: The medical officer made a Report, and I gather that he anticipates no evil effects from their imprisonment.

Mr. SEXTON: Would the right hon. Gentleman have any objection to state the terms of the Report, as the public papers state that their health has broken down?

Mr. A. J. BALFOUR: I can re-assure the hon. Gentleman. A very careful Report has been drawn up by the medical officer, from which it appears that the health of the two gentlemen has not broken down.

Mr. SEXTON: What course is it intended to take in regard to the recognisances of Mr. Dillon and Mr. O'Brien?

Mr. A. J. BALFOUR: I suppose the ordinary course of estreating the recognisances.

Mr. SEXTON: Why should the recognisances be estreated now that these gentlemen are undergoing their sentences?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): The application referred to by the hon. Member related to a case stated on the part of the defendants, and was for the purpose of having this case struck out of the list, on the ground that it was not being duly prosecuted by the defendants.

Mr. SEXTON: Do the Government propose to exact the penalty of the recognisances, although the two gentlemen who have been prosecuted are now in gaol?

Mr. MADDEN: That is a different question.

Mr. J. MORLEY (Newcastle-upon-Tyne): Will not the effect be that these two gentlemen will have suffered six months' imprisonment and have to pay £2,000 as well?

Mr. MADDEN: I merely rose to correct an error into which the hon. Member for Belfast (Mr. Sexton) had fallen, in regard to the case stated. The right hon. Gentleman now asks for further information of a totally different kind.

Mr. SEXTON: I will put a further question on Thursday.

THE LABOUR COMMISSION.

Mr. BECKETT (York, N.R., Whitby): I wish to ask the First Lord of the Treasury whether it is true, as announced in the papers this morning, that Her Majesty's Government propose to appoint a Royal Commission to inquire into the relations between employers and employed; and whether he can state what will be the scope of the Inquiry and the particular questions which will be submitted to the Commission?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): It is true that Her Majesty's Government intend to recommend the appointment of a Royal Commission, with the object generally stated by my hon. Friend. I shall be prepared, in the course of a few days, to state the terms of the Reference to the Royal Commission to the House; but I may say generally that the object we have in view is to institute an independent and careful inquiry into the causes of the differences between employers and employed which have produced such painful results during the past year, and also to inquire whether it is desirable or possible to introduce legislation on the subject.

Mr. HOWELL (Bethnal Green, N.E.): Will the right hon. Gentleman give the names of the Commissioners?

*Mr. W. H. SMITH: As the Commission was only decided on last Saturday, it will hardly be expected that Her Majesty's Government has as yet determined on the names of the Commissioners.

Mr. BROADHURST (Nottingham, W.): Is it intended that the Royal Commission should in any way interfere with the Select Committee which it has been resolved shall inquire into the hours of labour of railway servants?

*Mr. W. H. SMITH: Certainly not.

Mr. BROADHURST: Will Her Majesty's Government consult the Parliamentary Committee of the Trade Unions in reference to the terms of the proposed Reference?

*Mr. W. H. SMITH: Her Majesty's Government will be glad to receive suggestions from any quarter; but the hon. Gentleman will see that if Her Majesty's Government were to undertake to consult any particular body, either on the part of employers or employed, they would be placing themselves in a position of some difficulty. The Government must act on their own responsibility in this matter.

Mr. O. V. MORGAN (Battersea): Will the right hon. Gentleman undertake that one half of the Members of the Royal Commission shall be closely connected with the labour interest of the country; not employers like myself, but men who have lived by the labour of their hands?

*Mr. SPEAKER: Order, order!

Mr. LEES KNOWLES (Salford, W.): Will questions relating to coal mines come within the scope of the Inquiry?

Mr. SYDNEY BUXTON: Will the terms of the Reference to the Royal Commission come before the House, so that they can be amended if necessary?

*Mr. W. H. SMITH: This is not usual in the case of Royal Commissions. The terms of the Reference will be placed before the House. That is all that I can undertake.

Mr. CAUSTON (Southwark, W.): Is it the intention of the Government to limit the time during which the Commission will sit and report?

*Sir J. SWINBURNE (Staffordshire, Lichfield): Will the Commission be instructed to inquire into the hours of labour in coal mines underground?

*Mr. W. H. SMITH: In answer to my hon. Friend the Member for West Salford, and also in answer to the hon. Member for Lichfield, it certainly is not intended to exclude from the scope of the Commission questions relating to mines. No term will be placed on the sittings of the Commission. It would be improper to fix a limit upon the sittings of the Commission, or to determine what evidence they are to take.

MOTIONS.

INCOME TAX.

*(4.5.) Mr. BARTLEY (Islington, N.): I rise for the purpose of moving—

> "That, in the opinion of this House, a Committee should be appointed to inquire into the Income Tax, the mode of its collection, the system of appeal, the payment of poundage for collection, and generally to report on the present working and incidence of the tax as now imposed, and whether some juster system could be adopted, by a different rate being imposed on income derived from realised capital to that derived from industry."

I very much regret that I have to bring forward this Motion in the absence, from illness, of the Chancellor of the Exchequer, and under the circumstances I should have postponed it, if I had felt that it was possible to obtain any other opportunity for bringing it before the House. It is a matter which is becoming more and more pressing day by day, and I think it is a subject which deserves consideration at the hands of the House, with a view of getting the Income Tax placed upon a more just and equitable footing. The tax was originally imposed at the end of the last century, but it was subsequently taken off, and was not re-imposed until 1842, when Sir Robert Peel introduced it as a temporary tax, which was not intended to be of a permanent character. But from that date the tax has continued and also grown and developed. Chancellors of the Exchequer, one after another, have gradually increased its pressure. As a matter of fact, the tax is so easy to collect and the law-abiding Income Tax-payers of this country are so easily squeezed, that the incidence of the tax has never been regarded except in its financial aspect. The hardship involved in the tax, and the injury it inflicts upon the trade and commerce of the country, has been too much forgotten, although there can be very little doubt as to the unfavourable manner in which it handicaps the small traders. Many persons have a notion that it is a tax which is only paid by the rich. Nothing can be more contrary to the fact. It is true that the rich pay it, but not only is it paid by the rich, but it materially affects the lower and middle class of society. Schedule D. applies to shopkeepers, merchants, professional men, traders, lawyers, doctors, newspaper men, and to that large class of persons who are really the working bees in the industrial hive of this country, excluding perhaps, but not entirely, the working classes. The number of persons who pay the tax under Schedule D. are in round numbers 450,000, and of that number no less than 225,000, or about one half pay it upon incomes of less than £200 a year, 106,000 pay upon £200 and under £300. That fact alone proves conclusively, I think, that a very large number of the payers of the tax are in the very bottom of the middle strata. About 60,000 pay Income Tax on incomes between £300 and £500 a year, and there are altogether 386,000 out of 450,000 who pay it on less than £500 a year. This is an important fact when we consider the growth of the tax. In 1842 the tax per penny in the pound produced £850,000 a year; in 1861 it produced £1,250,000; and last year it produced more than £2,000,000 per penny. This rapid growth is due to the larger number of persons who have been brought within the meshes of the tax. From 1846 to 1874, or thereabouts, between 30,000 and 40,000 persons paid Income Tax on sums above £200 and below £300. From 1874 to 1889 the number of persons who paid the tax upon incomes of between £200 and £300 a year rose from 39,000 to 106,000, while those who paid it on incomes from £500 to £1,000 a year remained almost stationary, and those who paid upon incomes of more than £1,000 a year absolutely decreased. These figures show that the cause of the increase in the product of the Income Tax is that a large portion of the community at the bottom of the social scale is being gradually drawn within the operation of Schedule D. I do not express any opinion upon the question whether this is right or wrong, but I do hold that if the tax is affecting more and more persons who fill positions low down in the social scale, it behoves this House to take great care that the incidence of the tax should be equally adjusted and that the law should be administered fairly. It is supposed that the tax is one upon income, but the question arises—What is income? and I am unable to derive any definition of the term from any Act of Parliament. If a man sells goods over the counter he deducts from his income the cost of the materials and the amount of wages he pays. But it seems to me that that is not enough, and that he ought to deduct all the expenses that are absolutely necessary in order to produce the income. Income ought to be the net amount after a fair deduction of all charges which go towards the making up of that income. In tens of thousands of cases at the present moment the tax on income is not a tax on what ought fairly to be called income, but on a fancy sum fixed by officers who are personally interested in making the sum as large as they possibly can. I will give a string of typical cases which bears out this remark. Let me, first of all, take the case of houses. A man owns a house which he lets for £50 a year, and upon that house he is charged Income Tax upon the full sum of £50, notwithstanding that he may have to incur an expenditure of from £5 to £20 for repairs and other causes. The same remark applies to land in occupation and use. Expenses are necessarily involved, but no deduction is allowed, and the Income Tax has to be paid upon the full rateable value. Therefore the action of the Government has the effect of discouraging the possession of houses and land by persons of small means, a result socially to be deplored. Take the case of a man who pays £1,000 for a short lease, and who receives in rent £250 for six or seven years. Throughout the tenure he has to pay to the Chancellor of the Exchequer Income Tax upon the full amount of £250 a year, although a part only is really income and the rest is required to recoup the capital advanced in the original purchase. In such a case I maintain that Income Tax is not paid upon the income but on a fancy sum which is not truly represented as income. Then, take the case of cottage property. We often express a desire to encourage the improvement of cottage property, but it is a well known fact that the sums received from these cottages do not represent the real income. In some cases the outgoings even exceed the amounts received, and in no way does the rent show the actual income. Nevertheless, the Chancellor of the Exchequer demands Income Tax on the gross valuation. This is unfair, and further, out of consideration for the well-being and happiness of the people, is socially a mistake, as it discourages the building of improved cottages. I contend that it is most unfair to tax cottage property in this way. Then, again, there is the case of warehouses and other property which are only partly let. A building partly occupied with one or two rooms let and others unlet is charged Income Tax upon the entire annual value of the building. I have known houses partly let so heavily taxed that they have been emptied rather than pay the outgoings, which were larger than the rents received. There is another very large case of injustice in which property is assessed at a higher rate than the lease justifies. Let me take the case of a house let at £50 a year, the purchaser having paid no premium upon it. In numerous cases he finds himself rated at £60, so that he has to pay Income Tax upon £10 more than he actually gets. Is there any possible way in which that can be regarded as income? I know the case of a property which brings in £90 a year, but which pays Income Tax upon £120, and I believe that that is the case in regard to very many properties in London at this moment. In a case of my own, I was charged Income Tax at the rate of £300 upon property which brought in £250, but upon an appeal the extra charge was deducted. But the Chancellor of the Exchequer has now secured an ally in the London County Council, who have protested against my being rated at £250, and demand that I shall pay upon £270, although the extra sum can in no possible form be termed income. Then, again, the depreciation of machinery must not be forgotten. In fitting up a workshop a considerable sum is expended in machinery, but in collecting Income Tax nothing is allowed for the depreciation of that machinery. Surely, if I spend £1,000 in machinery which cannot last for more than five or six years, the depreciation ought to be taken into account. In regard to depreciation, there have been very extraordinary decisions. In one case in which I was personally interested—that of a large educational institute—a considerable sum of money was spent in school fittings and in making provision for renewing short leases. When the Income Tax assessment was appealed against an allowance was made for these items, and they were deducted from profits, on the ground that they were a necessary provision to replace the furniture and fittings and to renew the leases; but another Income Tax Commissioner came upon the scene, and refused to make any allowance at all. Another typical case is that of a Company which has been in operation for four years. Four years ago it made a profit of £470; the year after the profit fell to £160; the third year there was an absolute loss of £120; and last year there was a loss of £300. Nevertheless, the Company have been compelled to pay Income Tax upon the profits of each year; so that the shareholders have paid to the Chancellor of the Exchequer in Income Tax absolutely more by £60 than their entire profits during the four years. Take,

Mr. Bartley

again, the case of patents. A patent can only last for a limited period, but the Chancellor of the Exchequer will allow no sum to be deducted in order to provide for a sinking fund, which would only be equitable, seeing that the patent is not allowed to extend for more than a certain number of years. A medical officer in a Union receives, as a rule, a very small salary, but, as a matter of fact, in assessing Income Tax, he is not allowed to deduct from the salary his expenditure for drugs and other things that are necessary in visiting the poor. Their income is small, but the Chancellor of the Exchequer insists upon levying the tax upon the gross income. Life annuitants form a very large class of persons in this country, but an enormous sum is raised from their incomes every year, and devoted to the decrease of the National Debt. But is it fair that a life annuitant should contribute towards the Income Tax in the same proportion as another person whose capital produces an income in perpetuity? Let me take also the case of life insurance. The Life Insurance Companies invest their money in various ways; but on every penny they invest they have to pay Income Tax. The interest received from life insurance investments amounts to £6,000,000 a year, but the actual profits are very little more than £2,000,000. Therefore, as a matter of fact, the State is taxing life insurance three times more heavily than an ordinary business would be taxed. The same state of circumstances applies to banks. A penny savings' bank with which I am connected pays in Income Tax what would pay a 4 per cent. dividend upon the capital, and, as a matter of fact, for some ten years when no profit at all was made, and during which time it cost its shareholders some £10,000 to carry on, it paid over £2,000 as Income Tax. These are only a few out of a variety of cases which I might select to illustrate the extent to which the hardship bears; but I think I have said enough to prove my case up to the hilt—that the Income Tax, in thousands and ten of thousands of cases, is not a tax upon income at all, but a fancy sum levied at the hard rale of the Income Tax collectors. Now I come to the second point on which I wish to detain the House for a few moments, and that is as to the mode of collecting the tax, about which the greatest possible discontent exists. It is a startling fact that there are societies in existence for the purpose of assisting men to get their Income Tax fairly adjusted. A man pays a certain sum; the society takes steps to get the Income Tax reduced, and takes remuneration according to the amount they get taken off. Surely that indicates something very wrong in the system of collection. There are four officials concerned in the payment of Income Tax. The Surveyor of Taxes is paid by salary, but all the other officers are paid by poundage; and the result is, if even you have a difficulty or complaint, the Inland Revenue turn you over to the local people, and the local people turn you over to the Inland Revenue; and between the one and the other you can rarely get what is a reasonable adjustment. The great charge we have to make against the collection of the tax is that three of the officials—the local assessor, the local collector, and the clerk to the Commissioners—are all paid by poundage; and, therefore, all have an interest in getting assessments raised to the utmost possible amount. We pay the sum of £200,000 a year to the local collectors and assessors as poundage, and the sum of £80,000 to the clerks to the Commissioners. Upon what plan do these people work? A firm or individual sends in a Return, and without giving any reason the local officials perhaps double or treble the amount returned. I have known cases in which men have sent in a Return which has been doubled or trebled by the officials who did not condescend to give a reason for their action. A collector once boasted that a few years during a time of depression he increased the receipts for Income Tax in his district by 33 per cent. It is urged that individuals can easily appeal against the assessment of the collector. There is, as a matter of fact, nothing worse than the system of appeals. The Local Commissioners are often rival tradesmen and merchants of those whose appeals come before them. They have no knowledge of how to conduct such delicate inquiries, and are entirely guided by their clerks or local collectors. The appellant is not allowed to be assisted by a lawyer, and after he has stated his case—probably he is a business man and not accustomed to such proceedings—he is compelled to retire from the Court; but the local officials, who are as personally interested in the result of the inquiry, usually remain and advise the Commissioners, thus reducing the appeal to a perfect farce. The Committee I wish to see appointed ought to inquire into this question of appeal, and suggest some more satisfactory method. In 9 cases out of 10 the Commissioners do exactly what they are told to do by the officials, and against the decision, except upon a matter of law, there is no appeal. The next question is whether the time has not come for some change in the mode of assessing incomes, whether it is only fair and reasonable to draw some distinction between incomes derived from current labour and incomes derived from the result of past labour, or capital, or wealth. The two classes of income have been described as industrial and spontaneous income—industrial income being income derived from present industry, and spontaneous income being income derived from the result of past industry. This is no new idea. In the year 1842, when Sir Robert Peel re-introduced the Income Tax, Lord Brougham urged that such a distinction should be drawn. It was then thought that the tax was but a temporary expedient, and so this subject was shelved; but as the tax has now remained for 50 years, and is practically a permanent impost, it is time to re-consider the question. If this distinction were drawn, the great bulk of the difficulties in the collection of the tax would disappear. It is comparatively easy to fairly tax spontaneous incomes. It is easy to determine the amount invested, therefore the difficulty would be very much less if the scheme I suggest were adopted. The man who derives his money from wealth is in a totally different position to the man who has to earn his living and get it by present industry. A man who has to get his living by present industry, must provide for the future, must insure his life and do a number of things that the other man need not do. It is clear that the man with a spontaneous income may freely be called upon to pay on a very different scale to the man who has to earn his living. Many of those men who get industrial incomes have to work a good many years before they really obtain the practical result of their work. It often happens that, before a man receives the full results of his industry, he has to endure years of loss; but in the time of his prosperity he is not allowed to make deductions for these inevitable losses. Of course, if spontaneous incomes are taxed on a higher scale, it will be necessary to make special provision with regard to the very small incomes, such as those possessed by widows, orphans, &c., as is now done by the rebatement on the tax of £120 under £400 a year. In a Return presented to Parliament, No. 345 of 1885, there is a statement made as to the difference of amount derived from spontaneous and industrial incomes. It is shown that about three-tenths of the gross receipts from the Income Tax are paid by the industrial incomes, and about seven-tenths by the spontaneous incomes. Supposing that the Chancellor of the Exchequer were to say that no industrial income should be taxed; three-tenths of the Income Tax would disappear. The Chancellor of the Exchequer would lose about £4,000,000 a year, a sum which 3d. in the £1 on spontaneous income would more than make up the deficiency. I have always held that capital even now is not paying its full share of the burden of taxation. I apprehend, however, that this abolition of Income Tax on all industrial incomes would be an extreme thing to do; but supposing that the Chancellor of the Exchequer were to say that he would take off Income Tax from industrial incomes, on all incomes under £500 a year, the practical result would be that the right hon. Gentleman would lose Income Tax on about £40,000,000, or about £1,000,000 a year. Three farthings in the pound on spontaneous incomes would make up the loss, and a penny would leave a margin; but the benefit to the trading community, to the small tradesman, the small professional man, would be immense. The relief would benefit no fewer than 386,000 families connected with the working trade and industry of the country. I think I have shown that the time has come to consider this great question by a Committee of the House. Some persons have advocated a graduated Income Tax. No doubt such a tax has a great fascination for the poorer people of the community, but any one who has considered the subject must be convinced that in this country, at any rate, it would be practically impossible to collect such a tax. It could not be collected at its source, and the amount of evasion which would ensue would be such as to render its collection practically impossible. It is possible, however, although it may be difficult, to separate the industrial from the spontaneous incomes, and by doing so the change will lead to a much fairer arrangement of the tax; and it is also possible to arrange the Income Tax so that it shall be a tax on income and not on a fancy amount. If the Government grant the inquiry I am sure that they will confer a benefit on a class, next to the artisan class the most numerous in the community and a class by whose industry, energy, and enterprise this great Empire and its trade has been largely built up, and without whose contentment and prosperity we can hardly hope and expect that our trade and commerce will extend and continue.

Motion made, and Question proposed,

"That, in the opinion of this House, a Committee should be appointed to inquire into the Income Tax, the mode of its collection, the system of appeal, the payment of poundage for collection, and generally to report on the present working and incidence of the tax as now imposed, and whether some juster system could be adopted, by a different rate being imposed on income derived from realised capital to that derived from industry." — (*Mr. Bartley*).

*(4.53.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): After the very exhaustive and clear speech of my hon. Friend, it is not my intention to trouble the House with many remarks. I regret the absence, through indisposition, of the Chancellor of the Exchequer on this occasion, because the House is thereby deprived of the benefit of the great knowledge and experience the right hon. Gentleman would otherwise have been able to bring to bear on the question. I am sure the House will feel that my hon. Friend is quite justified in bringing this matter forward, for we all are aware of the friction, annoyance, trouble, and loss which arises from the present

system under which the Income Tax is assessed and collected. I particularly want to deal with Schedule D, and to confirm by a few figures what my hon. Friend has said as to that Schedule being an increasing contributory to the Income Tax. I find that while the annual value of property and profits assessed under Schedule A has increased by £50,000,000 in 20 years, Schedule B has only increased by little over £750,000, Schedule C by something under £10,000,000, and Schedule D by over £123,000,000. There is a matter respecting appeal which affects Income Taxpayers under Schedule D much more adversely than it affects the Income Taxpayers under other Schedules. Nowadays time represents money, and the loss of time, annoyance, and worry inflicted on the more ignorant, the less cultivated, and the less knowledgable portion of the community is greatly aggravated by the present system of appeal. I think the real question underlying my hon. Friend's Motion is the definition of the classes who fall under Schedule D. In the part of London with which I am most conversant there are many houses in the middle of a dense population unoccupied for reasons resulting from the system of taxation to which my hon. Friend has referred. That in itself is a matter which deserves serious inquiry. There is one matter connected with the incidence of taxation to which my hon. Friend did not refer, and it is that there is an important class of people who altogether escape from the payment of Income Tax. Large trading firms in this country are required to pay heavy Income Tax and all sorts of Local and Imperial Taxes, but foreign firms doing large business in the home markets, and making large profits in competition with English firms are only required to pay Income Tax upon the salary of their agent in England. I trust the Government will give the Committee my hon. Friend asks on behalf of the small traders and of the lower end of the Income Taxpayers. I maintain the hon. Member has made out a very substantial case, and I heartily second the Motion.

*(5.0.) MR. T. H. BOLTON (St. Pancras, N.): I think the House is much indebted to my hon. Friend (Mr. Bartley) for having introduced this subject. There is a very strong feeling of dissatisfaction as to the way in which Income Tax is assessed and collected and also as to the mode in which appeals are conducted. Many people are very unfairly assessed, and they have very little opportunity of getting redress; at all events there is so much trouble in getting redress that they very frequently submit to pay a good deal more in the shape of Income Tax than they ought to pay, rather than undergo the inconvenience surrounding an appeal. I can confirm what the hon. Gentleman has said as to the unfairness in the assessment. I know that in the case of cottage property the absence of allowance for repairs inflicts very great hardship upon owners. I am acquainted with a part of the country in which there are many old cottages the repairs of which are so considerable that they very nearly absorb the whole income derived from the property. With some owners it has been a question whether they would not pull the cottages down; but if they did, much suffering would be occasioned to many poor people. If we are to keep the people in the rural districts the question whether some special relief cannot be given in such cases as I have mentioned is deserving of the serious attention of the Chancellor of the Exchequer. Reference has been made to the difference between assessment on the gross rather than upon the net income derived from property. The present system is very unfair. Then there is the question of a fair allowance for property while unlet. It will be said one can get an allowance from the Surveyor of Taxes in respect to empties, but there is the greatest possible difficulty in getting the matter properly adjusted. It would be much better if the parish assessment and the Income Tax assessment were both upon the net, so that there could be an actual assessment on the actual income. I hope the Government will see their way to grant a Committee. I believe a Committee would discuss the matter in a practical way. Although the appointment of the Committee might not lead to very much change in connection with the Income Tax, it would, I am persuaded, lead to a practical redress of several grievances which are of an irritating and objectionable character. I was sorry to hear my hon. Friend make an unfavourable observation with reference to a

graduated Income Tax. Many of us believe that a graduated system is not only feasible, but fair, reasonable, and just.

*MR. BARTLEY: I only said it was not practical.

*MR. T. H. BOLTON: We think it is practical. I trust that observation of my hon. Friend will not influence any of my hon. Friends on this side of the House to look with disfavour upon his proposition.

(5.10.) MR. C. W. GRAY (Essex, Maldon): I am very glad the hon. Member for St. Pancras has said a word as to the Income Tax levied upon cottages in the country. Everyone will acknowledge that it is most important that our agricultural labourers should as far as possible be provided with good cottages; one of the reasons which induce the agricultural labourers to come up to the great centres of industry is that the cottages in some of the rural districts are not as good as we wish them to be. I am sure Radicals, even though they are not very friendly to the farmer or the country landlord, will agree that there ought not to be anything in the way of taxation which prevents a landlord providing decent cottage accommodation for the labouring people in his neighbourhood. But the point to which I particularly wish to draw the attention of the Government is the process of appeal open to farmers who think they have a grievance with reference to Schedule B, or, if they are the owners of the land, to Schedule A. If farmers are dissatisfied in respect of the Income Tax they are called upon to pay, they are informed that they can state their case before the Commissioners on appeal day. It often happens that a man farms land in different parts of the country, and very likely the Income Tax one considers unfair is in reference to a small area of land. To appeal against the tax, the man may possibly have to go many miles, and wait for hours, it may be in the draughty passages of an inn, until his case is called. The sum in dispute may be only £1, and many farmers say, "Rather than lose a day, rather than go 20 or 30 miles, and spend hours in a draughty passage, I will pay whatever is required of me." Whether this Committee be granted or not, I implore the Government to consider most seriously whether, as regards the people in rural districts at all events, they may not, in the first instance, be allowed to state their case to the Commissioners in writing. That would be a great boon to a large number of men. If the Government kindly give an answer to this question of mine when replying from the Front Bench, I, as a farmer, shall be very much obliged.

*(5.15.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I think the House owes a debt of gratitude to my hon. Friend for bringing this Motion forward, for whatever view may be taken of the principle of the Income Tax, there can be no doubt of its importance, not only to the individual taxpayer concerned, but to the taxpayers at large, because I believe if this tax were placed upon a fair basis we might derive from it a larger proportion of Imperial taxation, and some relief might be given under other items of revenue. I understand that my hon. Friend does not in any way desire to affect the Income Tax itself. In principle it is an admirable tax, easily raised or lowered as necessity may demand; it is invaluable as a tax upon property, and as such ought to find a prominent place in our taxation system. My hon. Friend and those who support him have brought forward this Motion in the belief that the time has arrived when an inquiry should be made into the incidence of and mode of levying the tax. There are two reasons for appointing a Committee, one on the ground of administration, which is largely a departmental matter, and upon which there is much dissatisfaction throughout the country, and upon which the Committee might certainly recommend improvements. But the second is the more important reason, and it has been referred to by my hon. Friend, namely that in the manner in which it is assessed this tax falls with much greater weight upon the precarious than on the permanent income—with more severity upon skill and labour than upon property. The reply which I suppose will be made to this argument will be that no plan has yet been devised by which this difficulty can be overcome, and no scheme has been elaborated by which every individual in a class shall be fairly taxed. Further, it may

be said with considerable truth that there are compensating advantages in regard to other branches of taxation, and that property pays a considerable proportion of taxation in addition to what is paid by these precarious incomes in the shape of death duties, from time to time increased, so that the burden on property is proportionally increased. But it is just because no one has yet been able officially to propose a practical scheme whereby the levy of the tax can be reformed that we ask for this Committee. For the last 30 years there has been no inquiry into this question, and, as has been pointed out, the two former inquiries, in 1851 and 1861, were really not genuine inquiries to a large extent, not *bonâ fide* inquiries. That of 1851 was an abortive Committee; that of 1861 was appointed against the wish of the Government of the time, and strongly opposed by the then Chancellor of the Exchequer, and had not a fair opportunity of inquiring properly into all the great questions affecting the tax. We have had the tax in existence for 50 years, and there has been no inquiry at all on the subject for 30 years. Surely the accumulated experience of 50 years, and the increased intelligence of those who levy the tax, will be able to throw some light on the question of administration, if not on the mode of framing the assessment. But I have another reason for desiring the appointment of the Committee. The Income Tax, this great source of revenue, was imposed specifically and practically as a temporary tax. It was originally imposed by Mr. Pitt as a War Tax, and again re-imposed when war again broke out after the Peace of Amiens, as a temporary tax. It was again re-imposed by Sir Robert Peel, and again as a temporary tax, and so much so that, instead of endeavouring to improve the basis upon which it was assessed and levied, he simply copied, almost word for word, the clauses from the Act of 1815. Again, as marking thus more its temporary character, he gave no reduction or abatement on the lower class of incomes. He did not desire to complicate his temporary tax with these abatements; he simply levied 7d. in the £1 on all incomes over £150. Further, the tax was imposed and re-imposed time after time as a temporary tax, and Government after Government hoped and believed they would be able to get rid of it. So long as it was thought to be a temporary tax there was not the same reason, necessity, or desire for its reform as there is now. But I think that we all feel, even if there had not been the rejection by the country of the proposal of the right hon. Gentleman the Member for Mid Lothian in 1874 to abolish the Income Tax, we all feel that the tax has lost its temporary character, and I am quite sure that the right hon. Gentleman opposite will not say it is ever likely to disappear as a source of revenue. Therefore we argue hat as the tax was imposed with all its faults in a rough-and-ready way, as a temporary tax, now that it has become a permanent tax it is the duty of the Government and of Parliament to inquire into the whole system of administration, into the incidence and assessment, to see that it is placed upon a fair basis. In one matter I do not agree with my hon. Friend. He desires that the Committee should also look into the question of exemptions, and, as I understand, desires that all individual incomes, or all incomes under £500, should be exempt from the tax. That would relieve a very large number of persons, but would, I think, be a great mistake. I think it was a mistake to raise the limit of exemption to £150, at which it stands now, because I think that so long as it is leviable—of course in the case of weekly wages it is not possible—but so long as it is leviable upon defined profits and salaries the tax ought to extend as low down as possible. Let it be fairly graduated from the bottom by means of abatements, and in the same way, be graduated as high up as it is possible to take these abatements. I should be sorry if the Government accepted a proposal to relieve the lower scale of incomes of the tax. Nor do I altogether agree with my hon. Friend behind me (Mr. Bolton.) I would have the tax graduated to a certain point. My hon. Friend seems to think it might be graduated from top to bottom, but this, though I do not say it is impossible, would be inexpedient. At the present moment a large proportion of the tax is practically self-collecting and self-assessing, being raised at the source and comparatively without friction. While, if you graduate it, every individual must return his individual income, upon which return the Income Tax must be levied. Such a system as that would lead to considerable evasion, and, I think give rise to a great deal of additional irritation and difficulty of collection. I assert, however, that the Government could go a good deal further than they have gone in graduating the tax at the lower end of the scale, and I do not see why we should not have a system of graduation extended up to, say, £1,000. The collection would not be rendered more difficult, for the onus of proof would be on the persons assessed. I would extend the system of abatements, but not the system of exemptions. I hope the Government will accept the proposal, and that now the tax has assumed a permanent character, it will be carefully and thoroughly examined, and that in the future we shall derive an increase, not a diminished revenue, from this source, for I believe it is in principle a most valuable tax, though I take exception to some of its details.

(5.27.) MR. ATKINSON (Boston): The tax is valuable because it is so easily raised, and hence it is that it has been resorted to as a War Tax, and I think it should be the desire of all friends of peace to get rid of the tax. There is really need of reform in the administration and incidence of the tax. I am old enough to remember that when it was imposed by Sir Robert Peel he gave a direct pledge that it should not be a continuous tax, and certainly, of all taxes that ever have been imposed, this has caused the most irritation and heartburning. I would add my voice to the voices of hon. Members who have spoken in request to the Government that they will consent to the appointment of this Committee, that the subject may be comprehensively examined. When we bring forward instances of hardship under the existing system of levy, we are met with replies from successive Chancellors of the Exchequer that they admit the particular grievance complained of, but that it is only part of a large subject which, if dealt with at all, must be dealt with altogether. Well, here is a favourable opportunity for that; let the Chancellor of the Exchequer avail himself of it and, instead of his lending his large intellect to schemes for harassing the banking interest, I would suggest to the First Lord that he should ask his right hon. Friend to attend to this grievance which has been a grievance to all Chancellors of the Exchequer and everybody else who has paid Income Tax for the last 30 or 40 years. As it is admitted that the present Chancellor of the Exchequer has been the greatest success in the office of all those who have filled the post during that period, we may rely upon his being able to do what none of his predecessors have been able to accomplish, and deal with this subject in a manner satisfactory to the vast number of persons concerned. At the same time I beg to offer a suggestion to the Leader of the House—a suggestion that will occur to us all as we look at the empty benches usually occupied by Representatives from Ireland. I take it that means that they do not pay the tax and are not interested. I would suggest that the tax should be levied in Ireland as it is in England. The hon. Member who spoke last said this tax should not be applied to weekly wages. But why not? As a ship-owner and ship-builder, I have known cases where rivetters and boiler makers have earned as much as £5 per week. If there comes a time when the question before the country is whether we shall go to war or not, the question is settled by these men who receive weekly wages and I maintain that these are the people who ought to be made to feel what it is to have the screw put upon the Income Tax in order to pay the cost of wars. I say these men have no right to decide these questions at the polls unless they pay their fair proportion of the cost. The Income Tax Commissioners will tell you that they communicate with the employers of clerks, and ask them to furnish a return of all those who are receiving weekly or monthly salaries of such amount that they get in the course of the year sufficient to bring them within the grasp of the Income Tax collector. Why should not these weekly wage earners—who in times of prosperity can afford to drink champagne, and who are much better off than the small tradesmen of the present day—pay their share of the Income Tax?

The boilermaker who earns £5 a week, or £260 a year, has not to dress in black cloth, and his children are going to be provided by hon. Gentlemen opposite—if they get the opportunity—with education free. Why is he to be exempted from Income Tax, while the man who earns £150 a year as a tradesman, and makes bad debts, and has to wear black cloth and to send his children to school and pay 2d., or 3d., or 4d. a week for their education, has to pay the tax? It may be said that it is a political necessity, and that neither side dare take the working man by the throat, and force him to bear his fair proportion of taxation, but that for mere Party purposes they are bound to say to him, "You shall not pay Income Tax because we want your vote at the next election." That is an unworthy motive, and I hope that the Government and the right hon. Gentleman the Member for Derby will not admit this principle. I hope they will say, "If there is a Committee we will serve on it and will look into the matter with a view of doing justice, and will propose that all people should be liable to pay Income Tax whether they receive their earnings weekly or not." I think I have made two valuable contributions in the form of suggestions to this Debate, and if the course I recommend is adopted, I feel sure the Income Tax will not be a permanent tax. I feel certain that as soon as Irishmen and working men are made to pay this tax they will "improve" it off the face of the earth as unjust. So long, however, as they are not compelled to pay they will go with a light heart into wars, as they know that we and not they will have to pay the piper. I trust that the Government will give us this Committee, and that the Chancellor of the Exchequer and wise men on both sides of the House will be able to devise some system of taxation which will be just. The Mover of the Resolution said he did not believe that capital contributed its fair share. No, Sir, it pays more than it ought to do compared with the man whose labour pays nothing. If there is an adjustment, I predict that it will not be against capital, but as against the labour of these men whose votes are so eagerly touted for by hon. Members on both sides of the House.

*(5.37.) MR. JEFFREYS (Hants, Basingstoke): I must say I think the Income Tax a fair one when properly assessed. In collecting the tax from the land the principal collector has an annual salary, but all the sub-collectors are paid by poundage, therefore it is to their interest to raise the amount as much as possible. Generally speaking the Income Tax is assessed on the basis of the Poor Rate, but that rate is collected on the net value instead of the gross, and the difference between the net and the gross in regard to the poor rate varies from 15 to 25 per cent. according to whether it is assessed on land or houses. I should like to know why the Income Tax could not be collected in the same way. In the case of houses and cottages, as was pointed out by the hon. Member for St. Pancras, great expense has to be incurred in order to keep them in repair. All cottages must be kept in repair, but that being so, why should not some allowance be made from the gross assessment of the Income Tax in respect of them? If that were done no one would mind paying the tax. The Income Tax is a tax the people groan at in the country because they have to pay it without receiving that for which it is a consideration, namely, the rents. As to other securities, stocks for instance, the Income Tax is only paid on the net income. In regard to land you pay whether you receive income or whether you do not. Then, as to appeals, though you have to pay the tax in January the appeals do not come on for several months, and it is often months even after a successful appeal before you recover the money. That is a great hardship, especially in the case of farmers who farm their own land and who have to pay the property tax under Schedule A and then pay again under Schedule B for the same property though very often there is very little return from the property. With regard to what has been said as to a graduated scale of Income Tax, that sounds very plausible, and it might be a good thing if it could be carried out; but I do not think it would be practicable, because Englishmen would not stand the interference, and the prying into their incomes that would be necessary in order to carry the system out successfully. No man would like to be asked how

much his income was, and the system would be considered too inquisitorial, and would not be popular. I wish strongly to urge on the Government the desirability of accepting the Motion, so that the Income Tax assessment may be made in a more reasonable manner.

*(5.44.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think the House generally will share the regret expressed in the speech of my hon. Friend the Member for Bow at the absence of the Chancellor of the Exchequer on the present occasion; and if there is one Member of the House who regrets that more than another it is the unfortunate First Lord of the Treasury, who is bound to fill, however unsatisfactory, the place of the Chancellor of the Exchequer in order to answer the speeches made in support of the Motion before the House. I will do the best I can to give expression to what I believe to be the sentiments of the Chancellor of the Exchequer with regard to the Motion. My hon. Friend has made a most interesting statement, and has exhibited the inequalities which prevail in regard to the Income Tax, and has dwelt upon the dissatisfaction which exists in many quarters as to the incidence and method of its collection. I fully admit the charges he has made, and I admit that there is a good deal of dissatisfaction. I am afraid it is hardly possible or conceivable that we could impose any tax of this character which would not create dissatisfaction, and which would not be disagreeable to the person who has to pay it. The fact of the case, however, is that the Income Tax is now regarded as one on which we must place considerable reliance in the adjustment of the finances of the country. It must be admitted that, under the able guardianship of past Chancellors of the Exchequer, the Income Tax has been a method by which great relief has been afforded to the industries of this country, and great advance has been made in the material prosperity of the country. I do not say that if we could do without it altogether it would not be a still greater advantage; but when we look back on the course of finance during the last 50 years, I think it must be admitted that, with all the inconveniences and all the dissatisfaction and all the inequalities, the Income Tax has, nevertheless, been an instrument by which enormous relief has been afforded to industry, and an enormous amount of pressure upon the general business and trade of the country has been averted. My hon. Friend spoke of the poor taxpayer. I sympathise with him most heartily in the appeal he has made on behalf of the poor taxpayer; but I observed in his speech, and that of the hon. Member for Bow, an absence of any allusion to the relief which the poor taxpayer obtains so far as Income Tax is concerned. The hon. Member for Poplar was the only speaker in the Debate who referred to that relief. As my hon. Friend knows, persons whose income is under £150 are exempt from the tax, and I believe this same class of persons are generally relieved from the House Tax, so that it cannot be said that the House of Commons, or past Chancellors of the Exchequer, have been insensible to the pressure which rests upon the poor taxpayer. But, in addition, up to £400 an allowance of £120 is made, so that a person having an income of £200 only pays on £80; a person having an income of £300 only on £180, and an income of £400 pays only on £280. It is, therefore, inaccurate to say that the circumstances and condition of the poorer middle class have not been considered by past Chancellors of the Exchequer. My hon. Friend referred to numerous Returns that have been made on this subject, and I think that he will not be surprised when I tell him that, not having expected to speak on this subject, I have not been able in the last two hours carefully to examine those Returns. But, no doubt, he is perfectly accurate when he comes to the general conclusion that there has been a decrease of large incomes as shown by the Income Tax Returns, and an increase of small incomes. But, instead of speaking of this as a matter for regret, I think that it will be a matter of satisfaction to the House that the Income Tax Returns disclose the fact that there is a large class which is increasing in wealth and coming within the purview of the Income Tax who, formerly, were not assessed because they did not possess incomes sufficiently large to render them liable to pay. I think, therefore, that my hon. Friend is under a misapprehension; it is not that these people have been dragged into the

Income Tax, but that they have risen into the payment of Income Tax, and that they are better able to bear a share of the taxation of the country than they were a few years ago, when they only paid indirect taxation. In fact, it is another evidence of the prosperity of the country in which we ought to rejoice. My hon. Friend spoke of the necessity of deducting all the expenses necessary to produce the income, and he is under the impression that sufficient allowance is not made in this respect in making up accounts to show what the income really is. I am under the impression that a tradesman in making out his income under Schedule D is fully justified in claiming any expenses he incurs in the production of that income, as a set-off against the gross income. It would be absurd that a man should not be entitled to set off as against gross income the wages paid, and the manufacturing costs he has incurred. I notice that in the first part of his Motion, and in his very moderate speech, my hon. Friend referred to the question of houses; that is to say, to realise property; but in his Motion he speaks of a different rate being imposed on income derived from realised capital to that derived from industry. But I would remind him that a house is realised capital. He proposes that there should be a deduction of 10 or 20 per cent. in the case of houses. But this is realised capital, and therefore my hon. Friend desires to make not only a reduction in favour of incomes derived from industry, but also desires to make a reduction on incomes derived from realised capital. I only refer to this to show the extreme difficulty of the subject in which my hon. Friend has embarked. He says that income derived from industry ought not to pay the same rate as income derived from realised capital, and at the same time he says that on incomes derived from realised capital there is to be a reduction. There have been cases of hardship in connection with the question of Income Tax which have been examined by Committees and Chancellors of the Exchequer in times past. I do not say that it is impossible to find remedies for these grievances; I know that my right hon. Friend the Chancellor of the Exchequer has been examining and considering the question from every point of view. But to say that there are grounds on which, without further examination, a Committee should be appointed to give relief to industrial incomes and to realised capital, I think would not be very wise. My hon. Friend referred to the case of houses which are assessed at an amount in excess of the rates paid. I know that is a considerable grievance—that it is a double grievance. It is more serious so far as the rates are concerned, for the rates may be 4s. or 5s., while the Income Tax is only 6d. in the £1; but that is a matter which can only be dealt with on the question of general valuation, but it shows the necessity of some measure dealing with valuation. My hon. Friend asked that depreciation shall be considered. I trust that at some time the Chancellor of the Exchequer will consider these hard cases; but if you go into the question of Income Tax it is not possible to avoid meeting with hard cases; but neither is it possible to deal with the matter from the point of view of hard cases, to remedy which past Chancellors of the Exchequer of great ability and great desire to meet all possible grounds of complaint have found it to be impossible so far as they were concerned. My hon. Friend spoke of the grievance of being assessed by the ordinary Commissioners or by the general Commissioners. If my hon. Friend can bring forward some plan that shall secure the taxpayer being assessed by a perfectly independent tribunal, I am sure that the Chancellor of the Exchequer and the Government will be only too glad to accede to his suggestion. Who are the Commissioners to whom there is an appeal? They are gentlemen nominated from the Commission appointed under the Land Act passed at the beginning of every Session. They are practically the nomination of the neighbourhood or district in which the taxpayer resides. I have not heard that there are any complaints against the system under which they are appointed, anomalous though it may be. The Land Act Commissioners appoint from among themselves every year gentlemen who act as Income Tax Commissioners. They receive appeals and attend to them. But I would remind my hon. Friend that the Income Taxpayer has an alternative if he wishes. There is a body of Commissioners at Somerset House, paid public officers, and if the taxpayer desires to be assessed by them, he is at full liberty to apply to them, and to decline to be assessed by the general Commissioners. He can also, on being assessed by the general Commissioners, appeal to the special Commissioners. I only mention this to show that though there may be trouble and a sense of injustice, such as all men feel who may consider that they are unfairly taxed, there are methods provided under the Income Tax Act by which they can get redress. They can appeal in their own neighbourhood if they choose, or they can appeal to a Government Department. I have gone into this to show what the present system is; I do not say that it is perfect, or incapable of amendment; and if my hon. Friend will only be so good as to suggest a better, we shall be very glad to consider it. My hon. Friend says, "Appoint a Committee." We have had Committees on this subject before, and I venture to submit to the House that a roving Committee to look for methods which are not even suggested by my hon. Friend is not likely to have any very satisfactory result. The suggestions and complaints which have been made have been brought forward on previous occasions, and were examined by strong Committees without any really satisfactory results. Now, Sir, the hon. Gentleman has contended that a distinction ought to be made between income derived from realised capital and income derived from industrial pursuits, but the hon. Gentleman has also indicated that past wealth ought to be relieved of some of the charge it already bears.

*MR. BARTLEY: I in no way intended to imply that. I stated with regard to houses that the net income of a house let at £50 a year is not £50. The expenses connected with it may be £10 or £20, but the income derived from that house would not be £50, but the smaller sum obtained after deducting the expenses.

*MR. W. H. SMITH: Exactly so; but I think if you deduct 10 or 15 or 20 per cent. from the amount of past wealth you must find that amount somewhere else; and this means that for the accommodation and for the allowances you may make on industrial income, by some means or other, other people will have to pay an increased tax in the place of those who are relieved. I should like to mention one fact that has only been glanced at by the hon. Gentleman, and that is that the net Income Tax raised under Schedule D, which represents the industrial income of the country, is £5,500,000; but past wealth contributes in the shape of Death Duties and stamps on deeds and bonds no less a sum than £10,300,000 in the course of the year. My hon. Friend will say, "But that is a charge on past wealth." Well, Sir, it is a charge on the acquisition of property; it is a charge paid by realised capital, either in the shape of land or in the shape of movable property, every year; so that the duty on capital on death or transfer equals an additional Income Tax of 1s. in the £1—that is to say, 1s. in the £1 on the annual income derivable from realised capital. This is a fact which appears to be not very generally known, or if it is generally known it is one which has not been made a matter of observation. But, Sir, an impression obtains that this realised capital is in the possession of the rich people. I am perfectly ready to acknowledge that there are a great many rich people who possess a large amount of realised capital, but in dealing with it you must bear in mind that the enormous majority of owners of realised capital are poor people. If you lay down the principle that you are to tax realised capital at a rate exceeding 1s. in the £1, at which realised capital is now paying, you must consider the case of those who are dependent upon very small incomes derived from realised capital, and I will venture to suggest that there is hardly any class in the community who deserve more consideration and, I may say, commiseration than the class of poor persons with only a small income derived from realised capital. They have to educate children, and have no other means whatever of obtaining a livelihood by industry, owing to the absence of education, or to the fact that they are widows or orphans. We have hardly a conception, I think, of the large amount of capital which is held by poor persons in all the great industrial undertakings in the country. It is customary to speak of the great Railway Companies as the great financial enterprises of this country, but in reality the Railway Companies are trustees for a number of poor people, and, therefore, any legislation which we might contemplate should take into consideration the fact that the enjoyment of the incomes which such persons possess may be very seriously affected by a mistake made in reference to the character of the matter with which we are dealing. I have information from the Bank to the effect that in 1888 63,356 dividends were paid on amounts of Stock of £333 or under, 28,007 dividends on £666 and between that amount and £333, 56,983 dividends on amounts of Stock between £666 and £3,333. Here we have something like 150,000 dividends, each less than £100 per annum. I will only trouble the House with one more set of figures. In the case of depositors in the Post Office Savings Bank for the year ending December 31, 1889, the number of accounts was 46,993, and the amount of Stock held £4,175,634, making the average sum invested £88. I only mention these figures in order to induce the House not to deal rashly with what appears to be enormous realised wealth, for in doing so we should be creating a great hardship for these people. Now, Sir, my hon. Friend has also asked that the mode of collection should be inquired into. He objects, and objects with considerable force, against the principle under which poundage has been paid to clerks and collectors. Well, Sir, my right hon. Friend the Chancellor of the Exchequer has already made a statement with reference to that, and my hon. Friend has referred to it; but an inquiry into the system is no longer necessary, as it is to be abolished. We all agree that it is not a system that can be defended, and that it ought to be abolished. I do not know that I need detain the House any longer. In the absence of the Chancellor of the Exchequer, I can only say to my hon. Friend and the House what I believe the Chancellor of the Exchequer would say himself, and that is—that we think that this inquiry at the present moment would not be proper. We do not see that we could place before the Committee any scheme which would direct inquiry into a useful channel. I cannot help referring for a moment to the Report of the Committee which sat in 1861. In the Report of that Committee it is stated—

> "The attention of your Committee on the present occasion has been mainly directed to another scheme proposed by their Chairman, and explained by him both in written memoranda and in oral evidence, the principal features of which appear to be as follows:—
>
> "1. A proposal to make net instead of gross income the basis of assessment to the tax, not ascertaining the net income by an account of actual outgoings, but assuming it by a deduction, founded on an average, from certain classes of gross incomes.
>
> "2. A proposal to divide all incomes into two classes, of which the one shall comprise incomes called spontaneous, and the other incomes called industrial, and to tax the former upon the full amount of the net income and the latter upon two-thirds of that amount.
>
> "3. A proposal to distinguish in certain cases between the interest of invested capital and the repayment by instalments of the invested capital itself, and to levy the tax upon the interest only, and not upon the repaid portions of the capital."

Now, Sir, this Committee, which everyone will admit was a strong Committee, by a majority of 7 to 2, came to this conclusion—

> "Your Committee, however, after full consideration, have arrived at the conclusion that the plan proposed by their Chairman does not afford a basis for a practicable and equitable readjustment of the Income Tax, and they feel so strongly the dangers and ill-consequences to be apprehended from an attempt to unsettle the present basis of the tax, without a clear perception of the mode in which it is to be reconstructed, that they are not prepared to offer to your honourable House any suggestions for its amendment. This tax having now been made the subject of investigation before two Committees, and no proposal for its amendment having been found satisfactory, your Committee are brought to the conclusion that the objections which are urged against it are objections to its nature and essence rather than to the particular shape which has been given to it."

The members of that Committee were Mr. Hubbard, the Chancellor of the Exchequer (then Mr. Gladstone, I think), Mr. Cardwell, Mr. Sotheron-Estcourt, Mr. Lowe, Mr. Baxter, Sir Stafford Northcote, Sir William Heathcote, Mr. Pollard-Urquhart, Mr. Cave, Sir F. Heygate, and Mr. Crawford. I think it will be admitted that that was as strong a Committee as could be nominated at the present day, and, for my part, I am inclined to think that that Committee arrived at a just conclusion. I am inclined to think that the hardships of the Income Tax, so far as they exist, can only be dealt with successfully by a Chancellor of the Exchequer with a full sense of his personal responsibility, and with a full desire to remedy any grievance that may be supposed to exist. I am sure the present Chancellor of the Exchequer is fully conscious of that responsibility, and I know that the subject has engaged his attention for a long time past. I know, moreover, that he is not the man to hastily make any recommendation to the House, and I earnestly ask the House not to imperil the basis on which the Income Tax stands, but to leave to the Chancellor of the Exchequer and the Government entire and complete responsibility for the financial arrangements that may be necessary from time to time. In answer to my hon. Friend the Member for Maldon (Mr. Gray), perhaps I may be allowed to add that if any improvement is shown to be possible with regard to appeals in country districts, it shall certainly be made.

(6.15.) The House divided :—Ayes 106; Noes 161.—(Div. List, No. 63.)

CAPITAL AND LABOUR.

(6.29.) MR. E. W. BECKETT (York, N.R., Whitby), who had upon the Paper the following Resolution :—

"That, in the opinion of this House, it is desirable that the Board of Trade should appoint a Standing Committee, as far as possible representative of the interests of Capital and Labour, whose duty it shall be to inquire into and report upon all strikes, lock-outs, and disputes of a public character between employers and the employed; that this Committee be authorised to arbitrate between the contending parties if requested by both sides to do so; and that it have power to appoint Sub-Committees to assist it in the performance of its duties,"

said: Sir, if any justification were needed for my not troubling the House with the Motion that I put upon the Paper four weeks ago, it is to be found in the announcement in the newspapers this morning of the decision of the Government to appoint a Royal Commission to inquire into the relation between capital and labour. The publication of their decision has, as it were, taken the wind out of my sails, but still the right thing has been done. I am not at all disposed to cavil or to complain because the decision has been announced in a way which discouraged the Debate which I wished to raise. Of course, under the circumstances, I do not feel justified in moving my Resolution, but perhaps I may be allowed to console myself with the reflection that my Motion has helped to stimulate the Government to take action on the labour question. In conclusion, I should like to express the hope that the deliberations of the Commission will not be unduly prolonged, because I feel that the matters with which the Commission had to deal are pressing and acute and ought to be remedied without any loss of time.

RAILWAY SERVANTS (HOURS OF LABOUR).

Motion made, and Question proposed,

"That the Select Committee on Railway Servants (Hours of Labour) do consist of Twenty-four Members."

(6.34) DR. CLARK (Caithness): I hope the Government will not press this Motion to-night, but that hon. Members may have an opportunity of substituting the names of other gentlemen in the place of some of those whom the Government propose to nominate on the Committee. Out of 24 Members whose names appear on the Paper, at least seven are directors of Railway Companies, some of which companies have a most disgraceful record. I should like to strike out the names of both Conservatives and Liberals, and to replace them by the names of gentlemen who are not Directors of Railways. I should especially like to see more Labour Members on the Committee. At present it is proposed to appoint only one Labour Member on the Committee. I shall certainly object to the appointment of Mr. A. Gathorne-Hardy, who sits on the Conservative side, and of Mr. Mac Innes, who sits on our own side of the House, and propose some Labour Member in their stead. I think the Whips have made a very unwise selection. To make men judges of their own cause is quite preposterous. I trust we shall be afforded the oppportunity of putting other names on the Paper.

*(6.36.) MR. T. H. BOLTON (St. Pancras, N.): I hope that the Government will not press for the appointment of the Committee to-day. There is only one Metropolitan Member on the list of the proposed Committee. Having regard to the fact that the Metropolis has five millions of people and the termini of all the great railways, with tens of

thousands of resident railway men, the Metropolis will be inadequately represented unless a change is made in the list.

*(6.37.) MR. MORTON (Peterborough): I hope the Motion will be adjourned, in order that an endeavour may be made to secure upon the Committee the presence of more Members representing the workmen.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): This Committee has been selected in the ordinary way by the Whips. I do not understand the objection to the presence of Railway Directors on the Committee. If there are seven Directors on a Committee of 24 Members, that does not appear to me to be an unfair proportion, having regard to the fact that the Committee is to be appointed to consider a matter of special importance to the Railway Companies. The railway servants will be adequately represented by hon. Members who represent places in which railway servants reside, and who have taken up the question from their point of view. I do not agree that the Metropolis should have any special number of representatives on this Committee, for the rest of the country is rather more interested in this question than the Metropolis. It is very desirable that the Committee should begin its labours as soon as possible; and if it is not appointed this evening, it will be impossible to say when another opportunity of appointing it will occur. Therefore, we feel we must proceed with the Motion.

Question put, and agreed to.

Sir M. Hicks Beach, Mr. Channing, Mr. Radcliffe Cooke, Mr. Crawford, and Baron Henry De Worms nominated Members of the Committee.

Motion made, and Question proposed, "That Mr. Alfred Gathorne-Hardy be one other Member of the Committee."

DR. CLARK: I beg to move to leave out the name of Mr. A. Gathorne-Hardy. The hon. Member is a Director of a Company that has one of the most disgraceful records in connection with the overwork of servants. I shall at the proper time move that the name of Mr. Baumann be substituted, that hon. Member being, I understand, neither a Railway Director nor a shareholder.

(6.42.) The House divided: Ayes 174; Noes 69.—(Div. List, No. 64.)

Mr. Herbert Gladstone, Mr. Heneage, and Mr. Howorth nominated other Members of the Committee.

*(6.53.) MR. MORTON: I should like to know whether it would be in order to ask these Gentlemen if they are Railway Directors or holders of Railway Stock.

*MR. SPEAKER: The hon. Gentleman can object to any particular name.

*MR. MORTON: I want to know whether I should be in order in asking such a question from each of them.

Motion made, and Question proposed, "That Mr. MacInnes be one other Member of the Committee."

DR. CLARK: This is the first of the Railway Directors who sits on this side of the House. I have already objected to the name of an hon. Gentleman sitting on the opposite side of the House, and in order to show there is no Party feeling in this matter, I shall take a Division on the name of a gentleman belonging to our own Party. From this side of the House there are two Railway Directors and one Labour Member; if there had been two Labour Members and one Railway Director the proportion would have been fairer.

(6.54.) MR. FENWICK (Northumberland, Wansbeck): I think the Government have been very unfortunate in the selection of the Committee. Several Gentlemen whose names appear on the list have either spoken or written against the movement of the railway servants. One of the Gentlemen it is proposed to put on the Committee has written a very strong article, which appeared in the *Nineteenth Century*, in denunciation of railway servants, and he is also a Railway Director. If the President of the Board of Trade is really anxious that this Committee shall give satisfaction, he will consent to adjourn the appointment of the Committee, so as to give hon. Members an opportunity of arriving at an amicable settlement. I beg to move the adjournment of the Debate.

*MR. T. H. BOLTON: I beg to second the Motion of the hon. Member for the Wansbeck Division.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Fenwick.*)

(6.55.) The House divided:—Ayes 71; Noes 151.—(Div. List, No. 65.)

Original Question again proposed.

(7.5.) MR. HUNTER (Aberdeen, N.): I hope the Government will not press the appointment of the Committee to night. It is quite obvious that a mistake has been made, although, I believe quite unintentionally. The idea in composing Committees is to represent the interests of the House proportionately to the Members. According to that standard, as the Railway Directors in the House are as one in 13, it is quite sufficient to have on this Committee two Railway Directors. But we find there are to be eight Railway Directors, which is one in three, as against one in 13. It is easy to understand how this arisen. Railway Directors have operated upon the four different Parties in the House, who are interested in the formation of Committees, each of the Parties has secured its Representatives, and, therefore, Railway Directors have exactly four times too much representation on the Committee. There is only one Representative of Labour out of the 24. It would be much more satisfactory, and would have a better result in the long run if the Government would postpone the further nomination of the Committee in order that there may be a better adjustment of the two classes.

*(7.7.) SIR M. HICKS BEACH: I do not think that what the hon. Member has said is quite fair to those who composed the Committee. He described Railway Directors as a class of Members in this House, and Representatives of Labour as another class, and said there is only one Member representing the latter class on the Committee. There are many members of this Committee who represent labour, if having a great majority of the working class in their constituencies can fairly be called representing labour. No doubt the hon. Member for Aberdeen refers to those Members who, being connected with labour organisations, are called "Labour Representatives." He complains that not more than one of those is appointed on this Committee. That is not the fault of Her Majesty's Government, for it so happens unfortunately that those Gentlemen sit on the other side of the House. So far as the Government are concerned, we are perfectly willing to agree that two more Members shall be appointed on the Committee, and that one of them shall be one of the gentlemen to whom the hon. Member refers. I hope that, for the sake of enabling the Committee to proceed in its work, the Motion for the adjournment of our proceedings will not be pressed.

(7.9.) SIR E. J. REED (Cardiff): I should like to say that I personally have no desire to sit on the Committee, but having evinced a strong sympathy with the railway servants on a remarkable occasion recently, I felt when asked to serve on the Committee that I could not rightly refuse. But in justice to those who constitute the Committee I am bound to say it is in that sense and for that reason that I am nominated. As to the question of Labour Representatives, there is considerable truth in what has been said by the President of the Board of Trade. It is not fair for the House to assume that there are no Labour Representatives but those connected with the workmen themselves. I have done what few men in the House have done. I have served seven years' apprenticeship to a trade. I have been intimately associated with the labouring classes for that reason, and I claim to be as good, true, and competent a representative of the working classes of this country as any man in this House. It is a little hurtful to one like myself who has been associated all his life with the working classes, and who has evinced sympathy with the men in the recent railway strike, to be told that he is unfit to represent the railway servants.

*(7.12.) MR. CREMER (Shoreditch, Haggerston): Those of us who sympathise with the railway servants have a right to complain of the composition of this Committee as arranged by the Whips on both sides of the House, for there are only two out of the 24 Members who are known sympathisers with the railway servants. There are four gentlemen against whom, personally, I have not a word to say, but who made manifest the

other day their very strong opposition to the action of railway *employés*. In the interest of the men, I protest against the constitution of this Committee. The Report of a Committee so constituted is a foregone conclusion against the railway servants.

MR. ATKINSON (Boston): Why should there be known sympathisers with either side on the Committee? The fact is, we here are as much in touch with the working men as those who are supposed to be the special representatives of working men.

MR. BURT (Morpeth): I entirely agree with the President of the Board of Trade and the hon. Member for Cardiff that the representatives of the working man are not confined to those who are usually called Labour Members. I personally do not object that there is only one so called Labour Member on this Committee, but I think there are far too many Railway Directors on the Committee. I think it is quite evident a mistake has been made in the constitution of the Commiteee; but I do not think it would be helpful to us to prolong the controversy on this occasion. I, for my part, am perfectly satisfied with the suggestion made by the President of the Board of Trade to add two Members to the Committee, one of whom shall be a so-called Labour Representative. I think, perhaps, the President of the Board of Trade has suggested a way of meeting the difficulty and preventing our wasting an evening in an unprofitable, acrimonious, and necessarily personal controversy.

Question put, and agreed to.

Mr. Mac Neill and Mr. M'Laren nominated other Members of the Committee.

Motion made, and Question proposed, "That Sir Herbert Maxwell be one other Member of the Committee."

(7.19.) DR. CLARK: I shall not trouble the House any further, because I think the suggestion of the President of the Board of Trade is a fair one. It might be desirable to change the composition of the Committee by and bye. The hon. Baronet is a Director of a Scottish Railway Company, and he has written strongly in regard to the recent dispute. I think the Committee should not contain a partisan from either side—it should be an unbiassed jury before whom evidence should be freely given. The hon. Baronet has, however, committed himself to a strong opinion, in an article in a review. He is a Director, as 50 per cent. of the Members suggested on the other side are.

Question put, and agreed to.

Mr. Milvain, Mr. Muntz, Mr. Murdoch, Mr. John O'Connor, Sir Joseph Pease, Sir Edward Reed, Mr. Somervell, Sir George Trevelyan, Sir Henry Tyler, Mr. Vernon, and Mr. John Wilson nominated other Members of the Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That seven be the quorum.

MR. CHANNING (Northampton, E.): May I ask the right hon. Gentleman when he proposes to place the additional names before the House?

*SIR M. HICKS BEACH: In the course of a day or two.

ORDERS OF THE DAY.

CHEAP TRAINS (LONDON) BILL.

(No. 65.)

SECOND READING.

Order for Second Reading read.

*(7.25.) MR. THEOBALD (Essex, Romford): The Bill, the Second Reading of which I have the honour to propose, is a short and simple one, and few words are necessary in explanation. The necessity for workmen's trains has been recognised by the Cheap Trains Act of 1883, which requires Railway Companies to provide proper and sufficient workmen's trains at such fares and at such times after 6 p.m. and before 8 a.m. as may appear to the Board of Trade to be reasonable. There has, however, been some difficulty in ascertaining the reasonableness, there has been an unwillingness to incur the expense, and I am not aware that the Board of Trade has ever been moved in the matter. The object of the Bill is to make it obligatory on the Railway Companies having a terminus in London to run workmen's trains within a radius of 12 miles from the London ter-

minus, arriving at the terminus before 8 o'clock, the tickets being available for the return journey by any train departing from the terminus after 5 p.m. on the day of issue, and after 12 noon on Saturdays, and to fix for the passengers a maximum return fare of one halfpenny per mile of the distance between the station and the terminus. At present the Great Eastern Company runs workmen's trains to and from Liverpool Street and Enfield, a distance of 11 miles, for a return fare of 2d., and the Directors admit that the trains pay when full. The fare to and from Elstree is 6d., a distance of 12 miles; Barking, eight miles, 3d.; and when the Hotel Metropole was being built at Brighton, I believe trains were run to and from London for workmen for 8d. per day. It is of great advantage to the working men, as well as to their families, that they should live in the country. If there is anything that tends to show the advantage of this, it is the presence among us of that unwelcome guest—no stranger and whom your authority, Mr. Speaker, cannot cause to withdraw—I mean the fog. It may be said that this same fog might prevent the carriage of the working classes quickly and punctually to their work in the early hours of the morning, but I may mention that a recent telephonic invention will enable two trains rapidly travelling on the same line to maintain a given distance without danger of accident. I do not think I need elaborate the advantages of such a system of cheap trains, the object of the Bill is well understood and I hope the House will give it a Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Theobald.*)

*(7.28.) MR. MAPLE (Camberwell, Dulwich): The object of the Bill is to make clear what the maximum charge of the Railway Companies for these workmen's trains is. The Act of 1883 provides that within the hours specified trains for workmen shall be run on terms that may appear reasonable to the Board of Trade, and, of course, the Board would not require such trains to run unless there were passengers to carry. But the all-important item in the arrangement is the fare charged, because it is obviously out of the question that an ordinary workman can afford to pay at the rate of 1d. a mile for distances up to 12 miles. Owing to the present system of charges for workmen travelling on the railways, houses for working men are not being built to the extent that they ought to be outside the Metropolis. Many of the Railway Companies have recognised the fact that workmen's trains do pay while running at a lower figure than the statutory 1d. a mile; and something is being done even now to give workmen an opportunity of breathing fresh air and enjoying the country. But the object of the Bill is to fix a maximum charge, and it is better for Parliament to do this than the Board of Trade. The Bill would not be required if the Board of Trade would fix a maximum charge on its own account. Wage-earners are bound to regard railway fares as so much added to rent. If the workers in London could be carried a little further afield, as they might easily be in a very short time, they would be enabled to live under much more healthy and pleasant conditions than they do at present. The Bill does not take away from the Board of Trade any of its present powers. From having looked thoroughly into the figures I am convinced that a return fare of one halfpenny a mile is a remunerative one to the companies. Indeed, this was demonstrated by a speech of the Chairman of the Great Eastern Railway, in which he stated that the 2d. return fares between Enfield and London—10½ miles the single journey—paid the company when the trains were filled. This Bill fixes a maximum which would allow 5½d. to be charged for such a distance as that which is found to be remunerative at 2d. When one goes over a block of workmen's dwellings and sees the height some poor creatures have to climb in order to reach their rooms, one cannot but wish they were nearer the ground, as they might be in the country with those little gardens which are of such an advantage. But it is only with the co-operation of the Railway Companies they can be carried out of London. No doubt the President of the Board of Trade has at heart the interests of these poor people; but he must also have regard to the interests of the Railway Companies; and, therefore, if the House fixes the maximum fares at certain hours,

we may see a greater development of cheap trains, which the working classes are petitioning for in large numbers, one petition presented to-day having 2,000 signatures attached to it. I second the Motion for the Second Reading of the Bill.

*(7.32.) Sir J. PEASE (Durham, Barnard Castle): Although I am a Railway Director, I am not a Director of any Metropolitan Railway affected by this Bill. It is a philanthropic Bill on the face of it; but if you examine it you find that it is an example of a nice, easy, and cheap way of doing good, after the manner of A saying that B ought to hand something over to C. Hon. Members think it is a very nice thing to get something out of the Metropolitan Railway Companies for the good of their constituents, but I think the effect of this proposal will be that instead of giving them something, they will take away from them privileges they already have. The Bill as I read it will give the power to take away a privilege that is now possessed, for it will enable the Great Eastern Railway Company to charge 5½d. where they now charge 2d. for carrying class traffic to Enfield. The hon. Member has mentioned these trains by which passengers are carried 21 miles for 2d., but he proposes by this Bill that the companies shall all have power for that distance which is now charged 2d. by the Great Eastern Company to charge 5½d. The Board of Trade has at this moment power to regulate such traffic, and such——

*Mr. MAPLE: No, the Great Eastern Company have to run those trains under statutory enactment; they are workmen's trains run under certain conditions imposed when the company obtained their Act for the Liverpool Street station, and they cannot be altered.

*Sir J. PEASE: I am aware of the special provision inserted in that Act. Let me tell the House what is the actual position of these Metropolitan lines. This Bill would lay down a hard and fast line for all Railway Companies as to maximum fares before and after certain hours. Under present arrangements, the remission of passenger duty to the companies depends upon their running workmen's trains after 6 p.m. and before 8 a.m. Now, irrespective of what any of the companies have done or are doing, the evening hour is to be changed to 5 o'clock. If this takes anything from the Railway Companies, the Bill makes no provision for supplying the abstraction out of these fares. But the supporters of the Bill pretend that it will be for the advantage of the companies, but surely the House can leave the Railway Companies to look after themselves? I think I can show that the Railway Companies have been able to do this while they do carry on a cheap and speedy traffic in the interest of the working classes. If anything is taken from the companies it will simply be off the net earnings of the companies over and above the present working expenses. The existing Act of 1883 has established an arrangement by which when a company goes to the Board of Trade to obtain some remission from the passenger duty the Board of Trade says—"Yes, we are quite ready to take off a portion of the duty, provided you take off something from your fares and facilitate the carriage of the working classes to and from the country." These trains arrive in London before 8 and leave after 6 in the evening. This Bill says the return trains are to be run after 5 p.m.—an hour when very few working men can, under the present hours of employment, reach the stations. That is the very time at which the rolling stock of the companies is taxed to the utmost at present, and it will be impossible for them to find carriages, and opportunity for running additional trains. If cheap trains are run at 5 o'clock it will be impossible for the companies to distinguish between the working classes and other classes, and people who now pay ordinary fares will use the workman's train. There is not so much objection to the farthing a mile fare as there is to the inconvenience occasioned. Possibly the trains might pay the companies, but everything would be disarranged by the congestion of the traffic, and there would be more blocks than Members know now occur on the Metropolitan lines at that hour. The powers of the Board of Trade are now ample. The Board has the power to take away all remission of duty from a company if the company does not comply with the Board's behest, and run sufficient workmen's trains at such fares and at such times before 8 and after 6 as to the Board of Trade may appear reasonable. The circumstances of each line vary, the geographical conditions vary, gradients differ, and the powers of working traffic are dissimilar. Parliament has, therefore, vested discretion in the Board of Trade. But the Bill proposes to take out of the hands of the Board of Trade this power that has been so carefully and usefully exercised. The hon. Member would deprive the working classes of the means of obtaining that consideration through the Board of Trade which they now possess. The Bill will subject the companies to the greatest inconvenience, not for the sake of *bonâ fide* working men, but for the sake of the class above them who are able to leave business at 5 o'clock and at 12 o'clock on Saturdays. If the companies do not run the trains that are required, there is at present the power of complaining to the Board of Trade. As far as I can find out, after extensive inquiries, few or no complaints have been made to the Board of Trade, and I therefore regard this proposed legislation as perfectly gratuitous, and unlikely to do any service to the working classes. The number of passengers carried last year in the workmen's trains by the various Metropolitan Companies is as follows:—The East London, 69,000; the Great Eastern, 6,100,000; the Great Northern, 1,400,000; the Great Western, 647,000; the North Western, 114,000; the North London, 470,000; the London, Chatham and Dover, 1,477,000; the Tilbury and Southend, 557,000; the Metropolitan, 1,670,000; the Metropolitan District, 800,000; and the Midland, 500,000. In addition many of these Companies issue cheap weekly return tickets. I think these figures show that the legislation of 1883 has been eminently successful. The Railway Companies have satisfied the legitimate demands of the working classes in the neighbourhood of London, and their only difficulty now is that their stations are too small for the enormously increasing traffic. There has not been, so far as I am aware, a single reference to the Board of Trade or the Railway Commission in respect to the power the Board and the Commissioners have of taking away by certificate remissions of Passenger Duty. There is no difficulty or expense in putting the Board of Trade in motion; it is simply a matter of complaint which is at once investigated at the public expense. The companies have given the travellers before 8 and after 6 cheap fares, and in many thousands of cases these are not the working classes only, but for residents who take advantage of the cheap fares to go to London. I may just observe that the London County Council may, as a representative body, be supposed to know the requirements of those they represent, and they propose that the present time should remain unaltered. I hope the House will refuse a Second Reading to the Bill which will give no advantages to the public beyond those they can now secure, while it will be most unjust to the companies who have done so much, to meet the requirements of the working class traffic in the suburbs of London.

*(7.50.) SIR H. TYLER (Great Yarmouth): It is quite true that, as the hon. Baronet opposite has stated, that the Great Eastern Company carried last year some 6,000,000 of passengers from Enfield and intermediate stations to London and back at the maximum fare of 2d., and I may add that there is no Metropolitan service carried out with more punctuality than this workmen's traffic, which begins at 4 or 5 o'clock in the morning, continues until 8, and returns after 5 in the evening. The Great Eastern Company are now enlarging their Liverpool Street Station, and are spending £1,500,000 on this work and on the approaches from various directions, including the provision of special platforms for this workmen traffic. I think I may fairly claim for the Great Eastern Company that they have done their duty towards, and much to encourage, the working class traffic. The hon. Member who introduced the Bill has, as I understood him, admitted there is no reason for the Bill by admitting that the Railway Companies have done so much to meet the object he desires to secure. That is to a great extent the case. The Act of 1883 was a compromise, there was a great deal of discussion over it, and the result arrived at was a compromise between the demand of those who advocated cheap trains and the views of the Railway Companies. But there appears to be no finality in these matters. The greater the exertions a Railway Company may make in the interests of

the public the more is demanded. Already the Great Eastern Railway have done much more than they were compelled to do; and it is discouraging, under these circumstances, to be continually met with fresh legislation. I must say, in regard to what passed earlier in the evening, that there are Railway Directors who act more strongly in the interest of the working classes than the so-called Labour Members. There are Railway Directors who are just as anxious for the welfare of their servants as the Labour Representatives, and who actually do more for their welfare than those who make so much noise about the matter. I do not think that the Bill will benefit the community, as it provides for the companies charging higher fares than they are actually charging now; it is unfair to the companies who have done so much, it discourages further efforts in the same direction, and I hope the House will reject the Motion for Second Reading.

*(7.55.) MR. CREMER (Shoreditch, Haggerston): The hon. Member who has just spoken made a very emphatic statement that he, as a Railway Director, in common with many Railway Directors, was very much more sincere in the desire to benefit the travelling public than the so-called Labour Representatives.

*SIR H. TYLER: I did not say more sincere.

*MR. CREMER: Did more for them—that is sufficient for the purpose of my argument. The hon. Gentleman then went on to prove his sincerity by opposing the Bill.

*SIR H. TYLER: I said nothing about sincerity.

*MR. CREMER: I am not putting the word into the mouth of the hon. Member, I simply say that he went on to show his sincerity by opposing the Bill. But, I proceed to say a few words upon the Bill itself. I am not quite sure that the Bill if passed would be of great advantage to the working classes of the Metropolis. It is not at all clear that in some instances it would not lead to an increase of fares on some suburban lines. But the workmen on some lines do travel under considerable difficulty by these cheap trains, and I am inclined to think that the subject is of such importance that it might well be submitted to the investigation of a Select Committee. There is an absolute necessity for some better provision than now exists for the conveyance of working men into and out of London, and this is evident to anybody who knows anything of the requirements of our working class population in London. A very pressing reason is found in the increasing rentals the poor have to pay for miserable house accommodation. Notwithstanding the philanthropic efforts of individuals and public bodies to supply the demands for cheap and healthy dwellings, the rents are advancing year by year, and, of course, to travel out of town means adding the fare to the amount of the rent. A very important consideration is the health of a man's family. I believe it is found to be a fact that when a man leaves the country and settles in London, in two or three generations the children become stunted in size, and their health becomes more feeble. To some extent the demand has been met by some of our Railway Companies, but it has been met in a very grudging spirit. The people who come in by the early trains in the morning are brought in at a cheap rate by Companies who, some of them, fix the hour of departure and arrival in the Metropolis at the most inconvenient periods in the 24 hours. The hon. Baronet (Sir J. Pease) stated that it was not only workmen who travel by the workmen's trains. Well, any hon. Member who chooses to go to a railway terminus in London at 6 o'clock in the morning can judge for himself whether the workmen's trains are filled with workmen or not. No one, unless he were absolutely compelled, would think of getting up at 5 o'clock in the morning—and it is necessary in order to catch these trains to get up at that hour.

*SIR J. PEASE: I did not say that workmen did not very largely use these trains, but that others besides workmen availed themselves of them, and that a great many ordinary passengers would wait for them in the evening, if the hour was altered to 5 o'clock, and in that way cause a congestion of traffic.

*MR. CREMER: The hon. Baronet said that a percentage of people who travelled by these trains after 5 o'clock in the evening were not workmen at all.

No doubt there is such a percentage, but I believe it is an exceedingly small one and not worth bothering about. The people who travel by these trains, as a rule, are packed like herrings in a barrel. The carriages are so full that the unfortunate travellers are nearly suffocated. I have had to travel by these trains myself, and can, therefore, bear testimony to these facts—though I should be sorry to be the means of tempting any Member of this House to get into a compartment containing 12, 14, or even 16 passengers. No person who can afford to pay the ordinary fare would think of travelling by the workmen's trains, because of the way the workmen are treated by the Railway Companies. If we are to tempt the working classes to live out of London under those healthier conditions that we are all so desirous of seeing applied to this class of people, the Railway Companies will have to provide a larger number of trains, and trains running a little later in the morning. That is one of the difficulties that would have to be surmounted, and I think if the Railway Companies were approached in the matter, and there were some uniform rule laid down by some authority, that the companies could be induced to overcome the difficulty, and to meet the working classes in a spirit of equity and fair play. In reply to the argument of the hon. Baronet, it occurs to me that if there is a percentage of travellers by these workmen's trains who are not workmen, that if the companies gave increased facilities to third-class passengers they would cease to travel by these trains. Possibly there is a percentage of travellers by these trains—who do not work with their hands. There are hundreds and thousands of clerks in the Metropolis who receive salaries somewhat above those of the ordinary day labourer and artizan, and whom we should be anxious to assist in the direction the Bill indicates. They are people who cannot afford to take first-class season tickets. They would gladly live out of London in the pure air if facilities were granted them by the Railway Companies. There are a few Railway Companies who grant third-class season tickets, and I think the system is found to be attended with very satisfactory results. If all the Companies would adopt the system, they would find their dividends largely increase, for after all it is the third-class passenger who is the most profitable to the Railway Company. Any one who travels on our great Metropolitan trunk lines must have observed that generally the third-class carriages are packed so that the passengers can hardly breathe, that the second-class carriages have very few in them, and that the first-class carriages are almost empty. Why then should not the companies be compelled to grant third-class return tickets to those who desire to avail themselves of them? Even if they did, it would be found that much more would be paid in proportion by the third-class season ticket holders than by those holding first and second-class season tickets. It has been stated that the first-class season ticket holders, who travel between London and Brighton, do so at the rate of a farthing a mile, whereas the third-class passengers are only permitted to travel at the rate of 1d. per mile. I cannot for the life of me imagine how such a state of things can be allowed to continue by a sensible body of men, even from a pecuniary point of view. If the companies were compelled to grant these third-class season tickets, I think the third-class travellers who cannot be described as workmen, would cease to use the workmen's trains and would gladly avail themselves of the season tickets. This question is so important to hundreds of thousands of people in the Metropolis, and to the shareholders of the Railway Companies, that I think it would be worth while to wait a little. I hope the promoters of the Bill are not too anxious to press their views on the House just now, but will be willing to receive evidence and have it presented to the House, so that later on we may legislate in a much clearer atmosphere than that we are in at present. I, therefore, submit that the best thing we can do is to refer this Bill to a Select Committee in order to see whether some measure can be framed which will be satisfactory at once to the public and to the shareholders. (8.10.)

(8.35.) MR. BAUMANN (Camberwell, Peckham): As my name is on the back of this Bill, and as the subject is one in which I feel a good deal of interest, I desire to say a few words in support of the measure. The hon. Baronet who spoke from the opposite Benches, but who has lately left the House, has stated that we Metropolitan Members want to get something out of the Railway Companies for the benefit of our constituents. In one sense that is true. We consider that as the Railway Companies enjoy large privileges they ought in return to pay something in the nature of a toll to the public, and that they ought to be compelled to make certain arrangements for the convenience of the very large number of working men who are at the present moment obliged to live in the outlying parts of the Metropolis. The hon. Baronet spoke of the matter in the true spirit of a Railway Director. He said we want to take the regulation of cheap traffic out of the hands of the Board of Trade. That also is partially, but not wholly, true; because, by the ninth clause of the Bill, we still leave in the hands of the Board of Trade the power to vary or rescind any Order they may see fit to deal with under the Act. I certainly think we ought to take the question of cheap traffic out of the hands of the Board of Trade, and for this reason. The Cheap Trains Act of 1883 has not been altogether a dead letter—I am far from saying that—but, on the other hand, it is quite true that the Board of Trade has not acted so often nor so energetically as it might have done in the direction of compelling the companies to run a sufficient number of workmen's trains in and out of London. A year or two ago I presented a Petition from a large body of my constituents, praying the Board of Trade, under the Act of 1883, to cause an inquiry to be made as to the reason why the London, Chatham, and Dover Railway Company did not run more workmen's trains, and, if possible, to make an order on that company to remedy this. Well, Sir, I do not know what the Board of Trade did with that Petition, but I know that I have never heard a word about it from that day to this; and I am also aware that the number of workmen's trains run by that company is not large enough to satisfy my constituents. I give this as one of the reasons why the matter should be taken out of the hands of the Board of Trade, who are sluggish, and ought to put a little more pressure on the Railway Companies. The question before us is: Are the railway facilities for the convenience of workmen at the present time sufficient, having regard to what is the population of London? I maintain that they are not. Doubtless, if all the companies who run trains into London were as liberal as the Great Eastern Company we should have no occasion to complain, because that company runs no fewer than 49 workmen's trains in and out of London. But their example is by no means followed by the other companies. For instance, the Great Northern Railway Company run only six, and the Great Western Company none. I am, however, informed by an hon. Friend of mine who is a Director of the Great Western Company that they do run workmen's trains over the metals of the Metropolitan and District Railways, and that these are included in the latter's return; so that it is not, perhaps, fair to say that the Great Western Company run no workmen's trains. Then, I find that the North Western Company run only five workmen's trains, and the Midland Company only one, and that at 5 o'clock in the morning, arriving in London at 5.33. My old friend the South Eastern Railway Company, runs only six trains a day. The London, Tilbury, and Southend, running from Barking to Fenchurch Street and through the districts in which are resident great numbers of the middle and working classes, only run four workmen's trains. I do not think it is unreasonable to say that that is not a sufficient compliance with the Act of 1883. On the one hand the Railway companies have not done their duty, and on the other, the Board of Trade have been deficient in not compelling the companies to do their duty by exercising the power which they possess under the Act of 1883. I heartily support the Bill, and I hope it may be read a second time. The hon. Baronet opposite said there was no great desire or demand for this Bill. Though a Railway Director, the hon. Baronet represents a constituency remote from London, and he will, perhaps, allow that Metropolitan Members are better authorities than himself as to the wishes of Londoners on this subject. I can tell him that the working classes of London and neighbourhood are keenly interested in this Bill, and look forward to its passing with the greatest wishfulness, and with the certain belief that it will confer upon them a great boon. I agree with the hon. Member for Shoreditch that further evidence is required before the Bill becomes law, but the readiest way to obtain that evidence is to read the Bill a second time and refer it to a Select Committee.

*(8.48.) SIR C. RUSSELL (Hackney, S.): I see that the Bill is endorsed with the names of 10 Members of Parliament, and I certainly expected to find a Bill of more consequence than the present, and one which would actually do something effectual towards remedying the deficiencies which, I cordially agree with hon. Members opposite, really exist. I notice that a very scanty proportion of those hon. Members who endorsed the Bill mark their interest in it by being present to support it. I confess, also, that the speech of my hon. and learned Friend leads me to the conclusion that a great many of the hon. Members whose names are on the back of the Bill have not read it. Why am I afraid that the hon. and learned Member himself has not read it? Knowing his acuteness, I think he would not have made the speech—with which speech I thoroughly agree—had he read the Bill. Does the hon. Member observe that the Bill would not in the least assist him in obtaining redress for the constituency which he represents? There is not a single word in it to increase the number of trains to be forwarded. So far as my hon. and learned Friend has spoken of the insufficiency of the number of trains, and the deficient accommodation, I thoroughly agree with him. I very frequently travel by the North London and the Great Eastern, and I have always observed that the workmen's trains are exceedingly crowded, almost as many standing as have found seats in a compartment. The natural remedy for that is an increase in the number of trains. But this Bill will not move the subject one inch forward; it does not touch the point. I should be very sorry to oppose any effort in the direction of increasing the workmen's train accommodation, but this scheme which is put forward is exceedingly inadequate, and falls far short of the objects the promoters have in view. My hon. and learned Friend said the Board of Trade was lethargic. I would suggest that the proper remedy is to put pressure on the Board of Trade, which means the President of the Board of Trade in this House, or out of it, to give full effect to the power which Parliament has emphatically conferred upon the Department by Sub-section 2, Sec. 3, of the Act of 1883, to see that Railway Companies provide at such fares as the Board of Trade think reasonable sufficient railway accommodation for working men travelling to and from their work, as well as for their other passengers. Even the hon. Member for Dulwich pointed out that in one instance the Bill might have the effect of increasing the fare. While I wish joy to efforts which are effectually aimed at remedying the evils complained of, and while I do not wish to vote against this Bill, I am bound to observe that I think the measure deals with a very small part of the difficulty, and I greatly doubt whether it is worth the labour which has been bestowed upon it by the 10 Members whose names are on the back of the Bill, but who are not present here to support it.

(8.55.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(8.58.) MR. T. H. BOLTON: While this Bill will not do all that the working classes desire, it will do something in the direction of giving them cheaper trains at more convenient times than at present. Cheap fares would be of enormous advantage to a great number of persons who work in warehouses and factories—clerks and others besides working men—whose incomes are small, and who have to get to their business in the City in the morning, before 8 o'clock many of them, and leave about 5 or 6 o'clock in the evening. I cannot help thinking that the hon. Baronet and hon. Gentlemen opposite do not quite realise the duties of Railway Companies to the public. In consideration of the monopoly they have they are bound to provide for the requirements of the public, and as those requirements increase, the Railway Companies must keep pace with them. It is admitted that under pressure certain companies are doing a good deal to meet the public requirements, and, surely, if

further pressure were judiciously applied, other companies might be induced to follow their example. It is because this Bill extends the legislation of 1883 that I shall vote for the Second Reading. If the Board of Trade would vigorously put into force the powers it possesses, or, if necessary, come to the House for increased powers with which to protect the interests of the public, that possibly would be a more desirable way of dealing with this matter. It cannot, however, be hoped that the Board of Trade will take such steps without great pressure being brought to bear, and the best way of exercising such pressure is by the introduction of some such Bill as this. The Bill goes further than merely providing for the running of purely workmen's trains, and I agree it is desirable it should go further. It is of no use our talking of giving the working classes healthier dwellings and make the conditions of life more acceptable to them, unless we provide means whereby they may live outside London and in a purer and healthier atmosphere. That you can only make practical by having cheap trains, and cheap tramcars and other means of communication between the homes of the working classes and their places of employment. A suggestion has been made that the Bill shall go to a Committee, but I cannot help thinking that, as a preliminary to dealing with the question, whether the subject goes to a Committee or not it is desirable that the House should emphasise its opinion on this question by reading the Bill a second time, and thus affirming the principle not only of increasing the number of trains run at reduced fares, but also of providing additional accommodation for clerks and *employés* in warehouses whose duties make it necessary for them to reach the City at an early hour in the morning. This is a question eminently interesting to London Members, and one having a practical bearing on the condition of the people. It is not unfair to ask the Railway Companies, in consideration of the great privileges they enjoy, to meet the public in this matter. There has been no statement that the cheap trains run by the Great Eastern have not paid, or that they are not adequately patronised by the public, and I am confident that if other companies, under the stimulus of this Bill, try the experiment of running cheap trains they will have no cause to complain of lack of support. It has been suggested that the adoption of this Bill would have the disadvantage of putting up the fares in some cases; but the hon. Baronet who stated that surely has not read the Bill, for it only provides the fares shall not exceed a farthing per mile, whereas the present maximum is 1d.

*SIR J. PEASE: The Bill of 1883 left this question in the hands of the Board of Trade.

*MR. T. H. BOLTON: If I thought the Board of Trade would fix a maximum of less than a farthing a mile I might be disposed to agree with the hon. Baronet, but there is nothing to prevent the Board of Trade fixing the maximum at even a fraction of a farthing. The fact is that this argument of the hon. Baronet is a red herring drawn across the trail by those who are interested in defeating the Bill. These disinterested persons tell us they are doing everything they ought to do in this matter, and that interference would only make things worse, as it would discourage and dishearten them. But they will not thus frighten us. The Railway Companies, from a mistaken policy, are not very fond of these cheap fares. They must get over that sort of feeling; for the public will insist upon having their cheap trains. This Bill can do no harm; by reading it a second time the House will be affirming the principle that an improved service of cheap trains is required in the interests of the working classes and of the public generally, and I therefore hope it will be pressed to a Division.

*(9.12.) MR. LAWSON (St. Pancras, W.): No doubt the supply of workmen's trains on lines running into the Metropolis is miserably inadequate, but I am afraid the Bill does little to better that state of things. My hon. Friend talked about compelling the Railway Companies to run trains at certain hours —to enable men, for instance, to reach their places of employment by 8 o'clock in the morning, but may I point out that the Bill makes no alteration in the morning limit of time. It seems to me nothing could be more unsatisfactory than the present system of bringing men to London long before their hours of work commence, to leave them hanging

about the streets, exposed to a great deal of temptation under conditions which few of us would like to face. I do not know why Railway Directors should oppose this Bill. It is a very small instalment of the obligation which will one day be placed upon them. We have listened with great pleasure to the glowing accounts given by my hon. Friend of the wealth and strength of the great Railway Companies, and he surely cannot after that expect Parliament will not impose somewhat more stringent conditions in the interests of those we look upon as needing legislative help. But I should like to point out that under the Act of 1883 the Board of Trade can do pretty well as it likes in these matters, and it should be left to the Railway Department to insist on the improvements that are so necessary. However, the object of this Bill is a good one, and I shall vote for the measure if it is only for its title. I am afraid that hon. Members will find there is not much else in it. There cannot be the slightest doubt that the congested state of the population in the central districts of London is a growing evil, and it is by the running of cheap trains that an effective remedy may be applied, for the working classes will thereby be enabled to live within reasonable distance of their employment, for reasonableness depends upon communications, in a purer atmosphere and in more comfortable homes.

*(9.19.) MR. SOMERVELL (Ayr, &c.): I feel disposed to vote against the Bill, merely on account of its title. I do not see why London should be dealt with specially in regard to cheap trains, why you should by legislation provide that within a radius of 12 miles around it trains should be run at a certain cheap rate. It may be the largest city in the Kingdom; but the workmen in other large towns are equally entitled with London workmen to cheap trains. The ground for the Bill, according to the memorandum attached to it, is that the Midland Railway run workmen's trains within 24 miles of London at one farthing a mile. That, according to the promoters of the Bill, is the reason why it ought to be provided that the maximum charge should only be a halfpenny a mile. The argument is a *reductio ad absurdum.* In the Memorandum accompanying this Bill the promoters show, not that there is a grievance to be remedied, but that the companies are at present doing more than the Bill calls upon them to do—I shall oppose such a parochial tinkering measure as this. Any measure dealing with railway fares ought to be a general measure, and not confined to any particular district. This is an attempt on the part of the Metropolitan Members to secure a little cheap and spurious popularity with their constituents. But they will not show themselves to be the real friends of the working classes if they deal with this matter in a half-hearted way. As it is, you will be making the working men in the country generally pay for the running of cheap trains for the benefit of London workmen—I object to any such preference being given to Londoners. I reserve to myself the right of supporting any general measure in the interest of working men throughout the Kingdom, but I shall certainly vote against this Bill.

*(9.26.) SIR JULIAN GOLDSMID (St. Pancras, S.): I think the hon. Member's speech shows that he is new to London and to this House. London stands in an altogether exceptional position, and many measures have been passed dealing with it specially, and not affecting in any way the other parts of the Kingdom. Frequently it has willingly been the *corpus vile* on which experiments have been tried. It is now desired to relieve the congested districts of London, and it is believed that the proposals of this Bill will have that effect, because it will enable the working classes to live out in the country. By fixing a maximum charge it does not prevent the Midland or any other company charging less. I have during the past few days been looking at the returns of railway traffic, and I find it is astonishing to note the increase in the number of third-class passengers. The companies mainly owe their prosperity to that class. It seems to me that the managers of suburban lines are forgetting that. The Brighton Railway, during the course of the year, took thousands of people to Brighton and back for half-a-crown. The fact is that the interests of the public are not opposed to those of the Railway Com-

panies. The essence of success is first cheapness and then numbers, and if the companies desire to make this traffic successful let them run more trains at convenient hours. The speech of the hon. Member opposite is a most extraordinary one. He says he will not support the Bill unless its provisions apply to the whole country. Well I, for one, shall be content to do without his support. During the 18 years I have been in the House of Commons I have found that a common excuse for obstruction is the complaint that a Bill does not go far enough. We are, however, willing to accept a small and moderate measure as a step in advance, and therefore I hope the Government will support the Bill.

*(9.30.) MR. LAFONE (Southwark, Bermondsey): My Friend's excuse for opposing the Bill seems to me very much like that of an hon. Member who, when asked to support a Bill extending the electoral franchise to the police, refused because the franchise was not given to women. My hon. Friend declines to support this Bill because it applies only to London and not to the country generally. I would strongly urge the desirability of reading the Bill a second time. What the supporters of the measure want to do is to support the President of the Board of Trade by a decision of the House, so that he may take steps to extend the privileges which the labouring classes already enjoy. We know that among railway magnates a considerable odium attaches to the right hon. Gentleman by reason of his recent action in regard to railway rates. Well, we do not want to increase the difficulties of his position, and we therefore think the House should take upon itself the responsibility for these proposals by reading the Bill a second time. It is an enormous advantage to labouring men to get out of the crowded courts and alleys of the Metropolis. We have it on the evidence of a Director of the Great Eastern Railway Company that the Railway Companies can take the steps the Bill contemplates with profit to themselves, and I therefore hope we shall strengthen the hands of the President of the Board of Trade in this matter.

*(9.34.) SIR M. HICKS BEACH: I do not know whether I shall express a very unpopular opinion when I say that the tendency of the time to agglomerate people and factories and places of business into the great cities is really a public evil. I should very much prefer to see some of these places of business for workmen whom the Bill proposes to benefit located at some little distance from London, and therefore in purer air. Unfortunately, facts as they exist have to be dealt with, and Parliament endeavoured to deal with this subject in 1883. At that time, after full consideration by a Committee of the House, it was decided that the Railway Companies should be relieved of a considerable portion of the passenger duty which they then paid, and, in return, that they should be compelled to provide, by order of the Board of Trade or of the Railway Commissioners, further facilities for workmen's trains, for the conveyance of soldiers, and for third-class accommodation. That was certainly in the nature of a Parliamentary bargain with the Railway Companies, and it was a bargain of a very sweeping character. Nothing could be larger than the words of Section 3 of the Act of 1883, which declared that if at any time the Board of Trade had reason to believe that upon any railway carrying passengers proper trains were not provided for workmen at reasonable fares and at reasonable hours, then the Board of Trade might order such provision to be made. Nothing could be wider than that power and nothing could better establish the intention of Parliament that this matter should be dealt with in a comprehensive spirit throughout the country. I agree with my hon. Friend behind me that any principle which the House may establish for the Metropolis must also apply to other great centres of industry. The power of the Board of Trade being such as I have described, there is a question whether it has been wisely exercised. The Board has been accused of being lethargic in this matter. In the first place, the section I have referred to expressly indicates to the Board of Trade that they shall not initiate action themselves, but that it shall be suggested to them from outside, and I do not think it can be shown that any demand that has been made upon the Board of Trade by any sufficient authority for putting into

force the provisions of the section has been neglected. I can quote instances in which the matter has been dealt with by the Board of Trade in communication with the Railway Companies to the great benefit of the public. In 1888 there was a case which had eventually to be brought before the Railway Commission, in which the Commissioners gave a decision which resulted in the provision of greater accommodation. It cannot, therefore, be fairly urged that the Board of Trade has neglected the duties imposed upon it by the Act. It appears from the report made by Major Marindin that while in 1883 there were 110 workmen's trains on the railways having termini in London, with a mileage of 763 miles, in 1890 the number of trains had increased to more than 700, with a mileage of 1,807 miles. These figures show that there has been a distinct progess since 1883. I do not say that the progress is sufficient, or that it is such as ought to satisfy us, for we have to bear in mind the circumstances of the Metropolis, with its growing area, its increasing rents, without any possibility of workmen obtaining accommodation near the places of their work, and also the atmosphere of the Metropolis, which every year is becoming more intolerable. Having regard to these circumstances, it is essential that not only such progress as I have described shall continue, but that it shall increase at a rapid rate. What the House has to decide is whether this Bill is adapted for this purpose or not. It has been said—and no doubt with truth—that in these times particularly the income of a Railway Company really depends upon the number of its passengers; but that statement has been made as if the number of passengers that can be carried was really illimitable. This is certainly not the fact, especially in the case of the lines which converge within 12 miles of the metropolitan termini. It is not only necessary to have regard to the convenience and safety of the workmen and others who wish to get to and fro within that distance of London; it is also necessary to think of the convenience and safety of that vast number of persons travelling up to London from long distances. It is impossible for the railways to carry with safety more than a certain number of trains during the 24 hours, and if it were attempted to include an excessive portion of those trains within the limits of the hours named in the Bill, the capacity of the lines would be overtaxed. Two years ago Parliament established the system of block-working; and as President of the Board of Trade it is my especial duty to insist on it as essential to safety for the public, and to see that no more trains are put upon the lines than can be safely carried. What will happen? Under the provisions of this Bill these workmen's tickets, instead of being available, as now, only between the hours of 6 o'clock in the evening and 8 o'clock in the morning, are to be available by any train departing from the terminus after 5 o'clock p.m. on ordinary week days, and after 12 o'clock noon on Saturdays. Five o'clock is the hour of all in the 24 on an ordinary day when there is the greatest amount of traffic, and the same may be said of the hours following 12 o'clock on Saturday. The Railway Companies, in order to cope with this increased traffic which the reduction of fares would be likely to produce, would have to increase their lines. Hon. Members may look upon this as a very simple affair, but it is not. It is a difficult and very costly thing for the Railway Companies to obtain the land and accommodation necessary for this purpose, and what the House is asked to do is to impose on the Railway Companies an enormous liability for such an extension of the lines. Although I have been lately described by Sir R. Moon as a confiscator of railway property, I think Railway Companies will have some right to complain if Parliament, while imposing this liability upon them, does not give them larger powers for the acquisition of the property which may be required to carry out that liability. If we once allow Railway Companies to obtain private property below its value we shall open up a much larger question. I hope the House will excuse me for dwelling on these matters. They seem to me, speaking I hope impartially between the Railway Companies and the public, and being anxious to do justice to one and the other, to be grave difficulties. What is the state of the law? As I have shown Parliament has given to the Board of Trade ample powers, which have been exercised by the Board of Trade so far as they have been demanded by the public within the bounds of possibility. It may be said that until recently it has not been the duty of any public body representing the Metropolis to bring its needs in this respect to the notice of the Board of Trade. That is no longer so. The London County Council have been blamed by my hon. Friend and others for not attending to the business which belongs to it. But that cannot be said of them in this case. They have taken this matter up, and it will be my desire and my duty to try and carry out the wishes of the County Council in such a matter. The question is whether the House will or will not be well advised in giving a Second Reading to this Bill. There is, I think, force in the suggestion that the Bill, as far as it goes, proceeds in a wrong direction. You have conferred unlimited powers on a Department of the State, and you can, if you choose, call that Department to account in this House for an inadequate exercise of those powers. You are called upon to limit those powers by fixing the fares to be charged at a certain sum. It may be quite true that the words "not exceeding that sum" are inserted in the Bill, but whatever the figure inserted in the Bill is, I am sure that it will be found in practice that there is a tendency for that figure to become established. I would, therefore, suggest, while admitting that the question is not a very large one so far as this Bill is concerned, it would be better not at present to proceed with the Bill, but to leave the question in the hands of the County Council, and to trust them to press it upon the Board of Trade. I think it will be admitted that I have not neglected these questions, and in dealing with this matter I can have no other desire but to increase the facilities of the working men of the Metropolis in going to or returning from their places of labour.

(9.54.) SIR E. WATKIN (Hythe): I appear as the representative of those who first gave to workmen cheap means of communication between their homes and their work. I also represent another institution who first issued third-class contract tickets for the benefit of the working people of London. I therefore do not appear before the House with any record against me in this matter. I claim to be the initiator of enterprises of this kind into which those who now come before the House as the friends of the working man have not put one 6d. We are all anxious to facilitate the transmission of labour to the places where it is employed, but I want to know whether this House is to be a regulator of the hours of labour in London. If it attempts any such thing it will be a great mistake, the usual relations of capital and labour will be seriously damaged, and great difficulties will be experienced. The President of the Board of Trade is right in thinking that the question ought to be more carefully considered. I personally have done everything I could to improve the means of communication available to the working classes, and I shall vote against the Bill because it will damage the circulation of labour.

(9.56.) MR. DIXON - HARTLAND (Middlesex, Uxbridge): While I sympathise with the object of the Bill, I cannot see why a 12 miles radius should have been fixed. My constituency is just outside that 12 miles radius, and a very large number of my constituents come into town every day. I cannot understand why a man, living 12½ miles out of London, should not have the advantage of cheap trains while a man living within 12 miles has such an advantage. The result will be that the congestion of London will be increased, because all the workmen will flock to places within the radius, and that will be detrimental to property beyond the radius. I am strongly of opinion that any Bill which creates such a difference ought not to pass, and, therefore, I shall record my vote against this measure.

(9.57.) The House divided:—Ayes 54; Noes 73.—(Div. List, No. 66.)

LOCAL BANKRUPTCY (IRELAND) AMENDMENT BILL. (No. 151.)

SECOND READING.

Order for Second Reading read.

(10.7.) MR. SEXTON (Belfast, W.): In the absence of my hon. Friend the Member for Down, whose name stands first on the back of this Bill, I have to move the Second Reading. I am glad to say the Bill has support from both sides of the House. It is a very small measure of reform rendered necessary by a defect in the Local Bankruptcy (Ireland) Act of 1888, which, no doubt, was due to inadvertence. In that Act it was provided that local bankruptcy proceedings should be taken at Belfast and Cork. That Act was intended to save time and secure the realisation of estates in the cheapest manner by local administration. But creditors or debtors were given the option of going to the Bankruptcy Court in Dublin, which causes great waste of time and money. Thus in one case in Belfast a debtor made an offer in Belfast of 3s. 4d. in the £1, and this being refused took his application to Dublin, and upon inquiry by the Local Court the creditors were eventually paid 17s. 6d. In another instance a principal creditor, a mortgagee, supported the offer of a debtor of 5s. in the £1, but after inquiry by the Local Court the creditors were paid 20s. in the £1. The principle the Bill lays down is that, unless in exceptional cases, a matter of arrangement or bankruptcy arising in the district of a local Court ought to be initiated in that Court, and adjudicated upon within that Court, unless the Court should see cause to remove the proceedings to Dublin. That, I think, is a reasonable proposition, and sufficiently safeguarded by the discretion of the Judge. The fourth and fifth are the operative clauses, and provide that on the occasion of a vacancy in the office of a Judge of a local Bankruptcy Court, and at any other time with the consent of the existing Judge there shall be power given to the Lord Lieutenant, by Order in Council, to direct that no bankruptcy proceedings shall be taken as to a person resident or having a place of business within the district of a Local Bankruptcy Court except in that Court, provided that the Judge may, in his discretion, transfer the proceeding to the Court of Bankruptcy in Dublin. This the Judge may do on the application of debtor or creditor, the widest discretion being allowed. Speaking as one of the representatives of Belfast I can express my belief that all mercantile and instructed opinion in Belfast is in favour of the Bill. The Chamber of Commerce has

petitioned in its favour. I am glad to observe from the affirming ejaculations of the hon. Member opposite (Mr. Johnston) that this is one of the few occasions upon which we agree. I believe opinion in Cork is equally unanimous with that in Belfast in favour of the Bill, and I trust the House will give the Bill a Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sexton.*)

(10.11.) MR. MACARTNEY (Antrim, S.): In rising to support the Second Reading, I do not think it is necessary to detain the House beyond adding the expression of my opinion that an absolute unanimity exists in Belfast in favour of the Bill, as it does throughout the whole district connected with the commerce centred in that important town. I have hardly anything to add to what has been succinctly stated by the hon. Member for West Belfast. The evils the Bill proposes to remedy have been felt keenly by the commercial community, and I believe the Bill provides a remedy that will in no way inflict any injury upon bankruptcy proceedings. The Judge of the Local Court is a man to be thoroughly trusted, and I have no doubt that he will exercise with discretion the power conferred upon him of sending a case to Dublin.

(10.13.) MR. DE COBAIN (Belfast, E.): I can testify to the fact that the opinion in the Belfast Chamber of Commerce and among influential persons in commercial circles is that the Bill will confer great advantages on the trade and industry of Belfast. With such an unanimity of opinion, I hope the Government will not oppose the Bill.

*(10.14.) SIR ALBERT ROLLIT (Islington, S.): I took some interest in the Bankruptcy Act passed for the United Kingdom, and I am quite satisfied from my own knowledge and from what I have learned of the feelings of Chambers of Commerce that the entire commercial community is in favour of the localisation of law, and I am equally satisfied that that principle ought to be acted upon as far as possible in regard to bankruptcy. Estates often pay little enough, and there is every reason for avoiding all possible

expense in their administration; and increased expense there must be if proceedings take place at a distance from the locality in which the suit arises. I am also inclined to support, whenever I find the opportunity, proposals for assimilating the law in England and Ireland, which must lead to a feeling of unity. The provisions now sought to be applied to Ireland exist in this country. These are sufficient reasons why I should support the Second Reading of the Bill.

MR. JOHNSTON (Belfast, S.): I also express the hope that the Government will agree to the Second Reading. The opinion of Belfast has, I think, been sufficiently expressed, and I do not think I need say more.

(10.15.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Government have already given proof that they realise the importance of providing a suitable system of local administration in bankruptcy affairs by passing the Act of 1888, which the present measure seeks to amend. I cannot altogether accede to the proposition of the hon. Member that there has been an oversight in the preparation of that Act, which the present Bill proposes to remedy. The intention of the framers of that Act was to provide an optional system of local administration for bankruptcy in Belfast and other large towns. It was not intended to provide that all proceedings in bankruptcy should be commenced in the locality where the debtor resides, nor do I think, if this Bill went to that extent, I could on behalf of this Government accept the Bill. Our experience in Ireland of local administration in bankruptcy has been very short. I do not say that it has been unsatisfactory, but I think it will be necessary to consider this subject in connection with the position of the Dublin Court of Bankruptcy in relation to the general judicial system in Ireland. This Bill, however, leaves it in the power of the Lord Lieutenant in Council to do what I believe will be ultimately necessary in Ireland, namely, to localise to a great extent the administration of bankruptcy, and, therefore, as the Bill goes to that extent, and it enables the Executive to safeguard its application, I think that, in those circumstances, I can recommend the House to agree to the Second Reading.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

DURATION OF SPEECHES (PARLIAMENT) BILL.—(No. 143).

SECOND READING.

Order for Second Reading read.

(10.22.) MR. ATKINSON (Boston): I have had a long time to wait to move the Second Reading of this very small Bill, which everyone understands, so I need not occupy much time in speaking about it. It is a small measure, but I believe that every hon. Member and the public generally will gain by its being passed into law. We know that if an hon. Member speaks for two or three hours he does not get reported in the Press, and he does not deserve to be reported. I remember one of my first experiences when I entered the House some six years ago. I asked one of the Whips to make an arrangement by which I should be enabled to leave the House, and go and dine at the Carlton Club. An hon. Member had at that time been speaking for half an hour, and had said nothing; and the Whip said, in reply to my question, that I might go and dine at the Carlton Club because this hon. Member had received orders to address the House for two hours longer. It was added that if I went to the Carlton Club and came back to the House at 10 o'clock I should be in plenty of time. I was a little incredulous as to this, but when I returned from the Carlton Club at 10 o'clock I found the same hon. Member still addressing the House, and saying nothing. I should have liked an absolute quarter of an hour Bill, but I am modest in my proposition, and, as the House will see, it will be possible to extend the time. I have had a large experience in public affairs, and for 30 years I have been a member of a Corporation of one of our large towns; and my contention, founded on that experience, is that unlimited time for speeches tends to the waste of time and the pre vention of useful business being done. If members of the Corporation with which I am acquainted had made the same use of their time as Members have made of time in this House, I believe that we should have been able to put that matter right in about 15 minutes. I know the argument is that this is a very important place for the discussion of very important subjects, and that if we err at all we should err on the side of leniency in the latitude allowed to a speaker. No one, however, can deny that we have during the last five or six years erred too much on the side of leniency. I have many times seen 12 or 14 hours at a stretch go by with nothing done. I remember one occasion when I waited for my Bills to come on—Bills that have not yet been carried—from 4 o'clock in the afternoon until a quarter to 6 the next morning. On that occasion we had 16 Divisions—I will not say which Party initiated them—but can any man say he has done the State any service by such waste of time? Five hours and twenty minutes did we occupy in the useless occupation of walking through the Lobbies and recording the fact that we had done nothing and that our friends opposite to us did not intend that we should do anything. Well, we have had a slight reform since then. Things are not so bad now, but they might be made a good deal better, and so I submit this Bill to the good judgment of the House. I applied to a gentleman who, in the political world, is well entitled to give an opinion, and asked him did he approve of such a Bill—it was then a 15 minutes' Bill—he replied that he did approve of it, but, said he, let the Privy Councillors have 30 minutes. My remark was that in my experience some of these gentlemen were the greatest bores in the House, but, said I: "If you say they should be excepted it shall be so." Therefore, I have put down 30 minutes for the Right Honourables. A short time ago I remember there was one precious hour of a Sitting left; Irish business was coming on, and one of these Right Honourables was called upon to use the hour, but he said he could not say what he had to say in an hour, and so he refused to utilise the time. Now, if I had asked any 12 Members if they wanted to hear that right hon. Gentleman for an hour upon Irish affairs they would have repelled the idea with horror—they would say they would rather not hear him for 15 minutes, because they had already heard everything he had to say inside or outside of the House. Yet this right hon. Gentleman refused to be content with this hour. With this Bill in operation that right hon. Gentleman would make the best use of his 30 minutes, and then if the House desired to hear him longer he would be allowed another 30 minutes. But I think I shall be a very old man if I live to see the House accord another half hour in an instance of that kind. My opinion is that if a man cannot, in ordinary circumstances, say all he has to say on every subject before the House in less than 15 minutes, he ought to be sent to his constituents to be cashiered, and another hon. Member sent back in his place. At the Œcumenical Conference in London delegates came from California and Australia to address their brethren here. Each speaker who had to introduce a Resolution was allowed 10 minutes, five minutes being allowed to the subsequent speakers. It was found that the speakers who had five minutes allotted to them distinguished themselves by rattling out their speech to the time of 230 words a minute. It was very good practice for them; but if they had anything to say worth hearing they took pretty good care to put it in the beginning of their speeches. No matter how eloquent they were—and some of them were very eloquent—the speech was ruthlessly cut short by the ringing of the bell, and the speaker had to resume his speech when the time was up. Now some very cheap wit has been exercised at the introduction into Parliament of such a bell as used at Diocesan Conferences. But the bell is not the essence of the Bill. I do not care whether it is a bellman's bell or a muffin bell, or or any other kind of bell, because I feel sure that the dignity of the House of Commons will provide such a bell as shall be heard, and if the speaker is deaf, there are plenty of hon. Members who will cry "Order, order!" when an hon. Member has gone beyond his allotted time. I do not want to occupy more than five minutes on such an occasion as this, and so I commend the Bill. If there is anything to reply to I will reply, but I do not think that a valid argument can be found against the Bill.

(10.30.) The House divided:—Ayes 44; Noes 72.—(Div. List, No. 67.)

MARRIAGES OF NONCONFORMISTS (ATTENDANCE OF REGISTRARS) BILL.—(No. 144.)

SECOND READING.

Order for Second Reading read.

(10.38.) MR. ATKINSON (Boston): I beg to move the Second Reading of this Bill. I do so knowing that the principle has been approved again and again, and that hon. Members now present will not allow any longer to exist a religious disability in the case of the members of the Wesleyan Methodist Society. I brought in the Bill once before, and this Government once brought it in, but we were obstructed by those who ought to have helped us to pass it, and the reason they gave was that a Bill of this kind, being in relief of religious disabilities, ought not to come from this side, but from the other side, of the House. I presume the other side propose to bring in the Bill when they are in power, but, my opinion is, that that time is a very long way off, and that, therefore, they should take the reform when they have the chance, from whichever side it is offered. I am a Wesleyan Methodist and a Conservative—a person called by my brethren on the other side of the House, from political motives, a monstrosity. I do not mention this in any bitterness at all, because I know it is not true, and therefore it recoils on those who say it. When I was canvassing at elections in Cornwall and North Lincolnshire, Liberal Methodists told me they were ashamed of a House of Commons which left on the Statute Book an Act which placed Wesleyans at such a disadvantage as compared with members of the Church of England. I mentioned this matter to my chiefs in Parliament, and they would scarcely believe that such a law existed. But let me tell the House what the disability is which we have to undergo. Members of the Church of England can have a legal marriage performed by their clergyman, but when any Nonconformist goes to have his children married by a man whom they consider quite good enough to light the way to Heaven and to teach them and baptise their children, they are told that in consequence of what Parliament has done, in the dark ages probably, they are not allowed to have any spiritual adviser to marry their children, but that the marriage must be conducted by some lawyer's clerk, who may come in a fit state to marry, or in a state more spirituous than spiritual. I object and protest, and have always objected and protested against such a measure being left on the Statute Book, because my idea of Conservatism always has been that it is safe progress, and I think that it is very safe progress to remove out of the way such a stumbling-block as that. I say that I have as much right to go to my minister to marry my children as any Churchman has to go to his spiritual pastor. The Wesleyan ministers are an educated body, containing men of recognised eminence, such as Dr. Moulton, who was placed on the Revision Committee, and is frequently hand and glove with Bishop Ellicot. Wesleyans naturally object to being told that one of their ministers cannot legally celebrate a marriage without the attendance of a registrar or his representative. Sometimes, under the present law, a marriage has to be delayed three or four hours' waiting for the registrar, owing to that official having failed to keep his appointment. The object of the Bill is to dispense with the attendance of registrars at the marriages of Nonconformists, by providing that before a marriage a form shall be obtained from the registrar, and that the minister who solemnises the marriage shall be made responsible, under a penalty of £2, for the subsequent registration. I appeal to the legal leader on the Front Opposition Bench to support the Bill! [Sir C. RUSSELL: "Hear, hear"] of which I move the Second Reading, claiming the votes of my Friends opposite who, although they think that the Bill should have come from their side, are all of them in favour of religious liberty.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Atkinson.*)

*(10.48.) MR. LEES KNOWLES (Salford, W.): I wish to support the speech that has been made by my hon. Friend, who says he has moved the Second Reading as a Wesleyan Methodist. I am in favour of the Bill as a Churchman. In my election address of 1885 I stated that I was anxious to support such a measure, and I repeated that statement in my election address of 1886. Since then I have backed such a Bill as this on two occasions. My hon. Friend has made a statement as to the grievance under which Nonconformists labour. It is a grievance which is emphasised, I think, by the fact that at least two among religious bodies, namely, the Jews and the Quakers, do not suffer under it. It seems to me that that is an anomaly, and that if the presence of a Registrar is not necessary at the marriages of Jews and Quakers, there is, under certain conditions, no reason why he should be present at the marriages of Nonconformists. Furthermore, I think it is desirable that the difficulty, if it is a difficulty, in the way of matrimony should be removed. I know that my hon. and learned Friend the Attorney General has, on former occasions, introduced a Bill dealing with this subject, and I have every confidence that to-night he will support the measure of my hon. Friend. I did not see the Bill before it was printed, so that I am not answerable for its drafting, although my name is on the back of it. I think that probably in its drafting, and in its provisions, it may need some alteration and amendment, which can be made in Committee. That, however, does not affect the question of the Second Reading, because in voting for the Second Reading we simply vote that we are in favour of the principle of the Bill.

(10.52.) MR. ILLINGWORTH (Bradford, W.): The hasty manner in which the Bill has been presented to the House has probably prevented the hon. Member in charge of it from giving a full explanation of its scope. The title does not at all agree with the body of the Bill, but is altogether misleading; and I can only wonder that an hon. Member, who is himself labouring under a religious disability, should forget that other Nonconformists belonging to other denominations are under the same disability.

MR. ATKINSON: I have offered over and over again to admit all Nonconformists to the Bill who will come into it. I had them in before, but they obstructed me instead of helping me.

MR. ILLINGWORTH: The hon. Member must excuse my saying that I think his consistency is still at fault, because he knows very well that the substance of the Bill does not agree with its title. This is not a Nonconformist Bill, but a Bill for the relief of a single Nonconformist body—though I admit a very influential and respectable body. I protest against the other Nonconformist bodies being left out in the cold. No one on these Benches would think of applying to the hon. Member opposite the epithet "monstrosity;" but I think if he were described as a "curiosity" he would well deserve the description; particularly because I find that the respectable denomination to which the hon. Member says he belongs has through its Committee of Privileges passed a resolution condemning this measure.

MR. ATKINSON: I object to the word "says." I do belong to the Wesleyan-Methodist body.

MR. ILLINGWORTH: I wished to pay a compliment to the hon. Member, because it is not for me to describe the religious opinions of anyone. I took the fact from his own statement; but my point was that this Bill had been condemned by the Committee of Privileges of the Wesleyan body, and that the Committee had expressed an opinion in favour of the Bill introduced by the hon. Member for the Louth Division of Lincolnshire.

MR. ATKINSON: I was present myself at the meeting of the Committee of Privileges, although the partner of the hon. Member for Wolverhampton was not present. At that meeting the Bill was approved. At another meeting, however, when I was not present, but when the political secretary, who is partner of the Member for Wolverhampton, was present, together with the Rev. Hugh Price Hughes, another resolution was passed.

MR. ILLINGWORTH: I am afraid the explanation does not mend the case, and the hon. Member must take the second meeting as expressing the revised opinion of the denomination. A few minutes ago the hon. Member was engaged in endeavouring to save the time of the House, but now he seems anxious to fritter it away. [" No, no."] Well then, why should he have included in this Bill only one of the Nonconformist bodies? The provisions of the hon. Member's Bill do not seem to me to be satisfactory in regard to the civil aspect of marriages—although, of course, I admit the desirability of paying due regard to their religious solemnity. This is scarcely the time to make suggestions; but, in the long run, I believe that this country will incline to the course of separating the two parts of the ceremony altogether, and not making one part hang upon the other. I think the civil ceremony should go first. The Registrar should attend at his office, the parties should go before him, and the marriage ceremony should take place, so that, so far as the law was concerned, all the consequences that might follow from the marriage should be secured. It is a mistake to consider that the religious ceremony would be in any way depreciated or deteriorated by the civil marriage. According to the Bill, in the case of non-compliance with the requirements as to registration a fine of 40s. would be imposed, but I do not think that would be sufficiently binding in all cases. Altogether, I think the hon. Member would be well advised if he did not press the Second Reading of his measure to-night. If he would introduce a Bill dealing with all Nonconformist bodies, I should be very happy to accept the proposal as coming from him. What we want is the removal of the disability, and that it should apply to all classes of Her Majesty's subjects. I feel sure the hon. Member will not wish to stand convicted of pushing the claims of the one religious denomination with which he happens to be identified; and as it is manifest that the measure only covers a corner of a wide area, I trust he will not press it to a Division.

*(10.58.) MR. DE LISLE (Leicester, Mid): I ask leave to say a few words in a certain sense as a Nonconformist. From a Catholic point of view the Established Church is a Nonconformist body, but here I am speaking from an English point of view. I object to this Bill absolutely and *in toto*, and in so doing I am, I believe, expressing the view of the Roman Catholic Bishops of England. I do not oppose it for the reasons given by the hon. Gentleman opposite, namely, because it does not include every Nonconformist body, but I object to any alteration of the law. Nothing is more important, from a social point of view, than to have an unchallengable marriage register about which there can be no doubt. It is quite true that from a Catholic point of view it is felt to be a disability to a certain extent that marriages simply by a priest are not recognised in this country. On the other hand, the Catholics recognise that they are only a small minority; their only wish is to see the law as stable as possible, as they are, generally I believe, quite content with the existing order of things. The religious ceremony has no force in the eyes of the law, but when performed duly in the presence of the Registrar the marriage becomes legal, and is entitled to the same *status* as a marriage in the Church of England. As I had the happiness to go through the ceremony myself some two years ago I gave particular attention to the law on the subject. A few years ago I do not know whether it was necessary for the Registrar to put the legal questions, but now the whole ceremony can proceed at the altar, and it is not even necessary to go to the vestry in order to sign the register. In my own case the Bishop of Clifton put the legal questions at the altar, and the register was signed at the altar. So far as the Catholics are concerned, it would be impossible to have the civil act before a Magistrate or a Registrar first, and the religious act afterwards. The Council of Trent has not been promulgated in this country, and therefore the ceremony before the parson or the civil official renders the contracting parties man and wife, and to repeat the ceremony religiously would be

a sacrilege. I may be pardoned for referring to Roman Catholic theology, but the question is one of great social importance. It would be impossible for me to agree to the Second Reading of this Bill, because it comes into conflict with our views as to what constitutes the essentials of matrimony.

MR. ILLINGWORTH: I did not say that the civil marriage should precede the religious ceremony. I simply had in my own mind the ultimate consequences.

*MR. DE LISLE: I have no doubt the hon. Member would agree to such Amendments as would satisfy Roman Catholics; but how can you distinguish the 200 sects claiming equality as Nonconformists before the law? In fact, I do not see why the same argument which is applicable to the ministers of one form of religion should not be applicable to another; so that if the principle of this Bill be admitted we might have Atheistic ministers performing the marriage rites, because if you once admit the ministers of one form of religion I do not see where you can possibly draw the line. It is for these reasons, and because of the uncertainty which might arise, that I ask the House to reject this Bill.

(10.0.) MR. WOODALL (Hanley): I quite agree with the hon. Member who introduced this Bill in saying that the grievance it proposes to remedy is one that is very extensively and painfully felt throughout the country. No one who has any relations with the Nonconformist body can help sympathising with the extreme humiliation they must feel in being obliged to secure the presence of the Registrar in order to validate the marriages which take place in Nonconformist places of worship. This must be the more severely felt, because the ministers of the Established Church are able to celebrate marriages without any such condition. But the disability is one which is experienced not only by Wesleyans, but by every other Nonconformist Body. The whole of the Methodists, Primitive Methodists, Baptists, Independents, and every other Nonconformist section are excluded from this Bill. Why is this, when there are bodies whose ministers have a more settled *status* than even that of the Wesleyan Body, and who might, therefore, be held to be more trustworthy agents of the State, for the puposes of registration? The hon. Member (Mr. Atkinson) has, no doubt, assured us that although the Bill is drawn in the interests of one section of religionists only, he is willing to make it applicable to the other Nonconformist Bodies; but why should not the Roman Catholics be put in the same position as the Nonconformists? Supposing the Bill is amended in the fullest and most literal sense, where will it land us? With regard to our Marriage Laws, it is impossible in any civilised country to find such a condition of things as exists here. In Scotland, Ireland, and England the Statutes are contradictory; almost every denomination has special provision. Why should we allow these denominational and polemical differences of ours to prevent our arriving at a simple solution of this question, with a conscientious regard, as sincere religionists, to the requirements of the Civil Law? Surely we can hardly be ignorant of the fact that under the Code Napoleon, in France and Italy, and, I think, most of the countries of Continental Europe, the one end about which the State troubles itself is that there shall have been a civil marriage contracted before the Mayor or some other civil authority, which shall assure to the parties concerned and to their offspring the fullest protection that the State can afford. I believe I am right in saying that although the law requires the civil contract, yet in France more than 90 per cent. of the marriages before the civil officer are duly completed by the religious ceremony.

*MR. DE LISLE: The religious marriage in Catholic countries always precedes the civil.

MR. WOODALL: I think I am correct, but the circumstance is new to me. I hope the hon. Gentleman will not think I am questioning his authority on the subject if I say that I think I am still right. One of the most popular writers of France dwelt very picturesquely on the simplicity and bareness of the civil ceremony compared with the ornate and extremely interesting character of the religious ceremony which followed on the next day. At any rate, the point I wish to urge is, that while the State recognises civil marriages, the religious ceremony is regarded as necessary to the completeness of the marriage. I think we may dismiss from our minds the idea that we shall do away with the sanctity of marriage if we increase the facilities for the civil contract. There is, however, one objection to the Bill, which I think the Attorney General will endorse. I refer to the evidence furnished by the Reports of the Registrar General and by the experience of the Attorney General and every lawyer in this House, of the extremely dangerous way in which the Registers have been, and even now are, kept by the clergy of the Established Church. Serious scandals have repeatedly occurred, and grievous wrong has frequently been inflicted, owing to the lax system which has prevailed. Nevertheless, the ministers of the Established Church, whatever their faults or shortcomings, do reside in their parishes; whereas the Wesleyan ministers and those of the Methodist Bodies are usually stationed in one district for a period of three years only—a term which is very rarely exceeded. Doubtless, this itinerant system has largely contributed to the efficiency of these ministers and to the general advantage of the Religious Bodies over which they exercise their ministerial functions. But, on the other hand, it is evident that as regards registration purposes these itinerant ministers must necessarily be less trustworthy than the resident clergy of the Established Church. It is said that the Nonconformist ministers are not to keep the registers, but merely to deliver certificates within a week to the parochial officer. I venture to say that the provisions of this Bill are such as will make it still more necessary than at present to enact additional legislation, because they will more than ever complicate the varied system of our existing Marriage Laws, while failing to effect a perfect solution of the present difficulties. I trust, however, that the effort now made will induce the Government to consider the propriety of endeavouring to frame some statesmanlike measure that may prove an adequate solution of this important question, creating something like a uniform system throughout the country; but if that be impossible, at any rate so amending the existing law as to render it more satisfactory to the general community.

MR. DE COBAIN (Belfast, E.): I trust that the measure introduced by my hon. Friend will at least be allowed to pass a Second Reading, so that the principle it embodies—a principle in which the different sections of the great Nonconformist Body are in cordial agreement—may be affirmed by this House, leaving the defects which have already been pointed out, and which undoubtedly exist in the drafting of some of its clauses, to be dealt with in Committee.

*(11.15.) MR. T. W. RUSSELL (Tyrone, S.): The hon. Member for Bradford (Mr. Illingworth) has advised the hon. Member opposite to withdraw his Bill on the ground that the Member for the Brigg Division of Lincolnshire (Mr. Waddy) is about to introduce a Bill that will cover the ground more completely. I hope my hon. Friend will not listen to that advice. I say so for this reason: first of all, the hon. Member for the Brigg Division is not here; and, in the second place, we do not know when he may have an opportunity of bringing in the measure he desires to see carried. The fact that the present Bill only covers one section of Nonconformists and does not cover the rest is no reason why the House of Commons should refuse to assent to the principle of the measure, when the House knows that if the Bill goes into Committee all the other sections may be added. I confess that I do not like the opposition offered to the Bill by some hon. Members on this side of the House. It proposes to remedy a long-standing grievance in the Nonconformist community, and it certainly is an awkward fact that the main opposition to it should come not from Members on the other side of the House, but from those who sit on these Benches—men who admit the grievance which they profess to be anxious to remedy, but who are mainly anxious to show that Codlin is the friend and not Short.

MR. ILLINGWORTH: The measure to which I referred was in the House last Session and, I believe, the Session before.

MR. ATKINSON: It was not in the House last Session.

MR. ILLINGWORTH: Perhaps I may be allowed to explain——

*MR. T. W. RUSSELL: I hope I did not convey that impression. I have received many communications from the Wesleyan Methodists of Ireland about this Bill, and I hope the House will waive all these minor considerations in favour of a Bill which, if it does not go far enough in favour of the principle they desire to see adopted, can at all events be amended and extended in Committee.

*(11.21.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Sir, perhaps the House will allow me a few minutes to speak on a subject to which I have personally given a good deal of attention. I am bound to say that, if the hon. Member for Bradford did not take objection to the previous Bill on this side, those closely connected with him opposed it most strongly. It dealt not only with the Wesleyan, but with other Nonconformist Bodies, and yet Members sitting opposite declared that they would never allow the Conservatives to deal with this question.

MR. ILLINGWORTH: I did not make any such declaration, though I do not pretend I was in favour of the Bill, which had one fatal defect—that it did not deal with Wesleyan ministers.

*SIR R. WEBSTER: I had not in mind the hon. Member for Bradford, but those who are closely associated with him, and whose names I should mention were they present. The hon. Member's memory is defective, for both the Bills previous to this dealt with Wesleyan Methodist ministers. In 1886 I introduced a Bill when I was sitting on the other side of the House. It received very considerable support from the Government of the day, but that Government did not allow it to proceed. In 1887 I brought in a Bill as Attorney General; and that Bill, which can be seen in the Library, as well as the first, contained safeguards against all those matters referred to by hon. Members opposite—with regard to registration, to notice, to fees, and other matters. But that Bill was persistently opposed by hon. Members on the other side. Why I support this Bill to-night is, not that I think it contains sufficient safeguards, but that it recognises the fact that there is a grievance to be remedied, and, though it deals only with the Wesleyan Methodists, the House, in assenting to the Second Reading, will express its willingness to deal with that grievance and remove it. The hon. Member for Bradford objects that the Bill includes the Wesleyans alone. Why is that? It stands in this way: One of the difficulties besetting the question is that various bodies of Nonconformists admit to their pulpits various persons of great ability who have not the *status* of ministers, and some of whom, as the hon. Member for Stoke happily described it, are itinerant ministers. In the Wesleyan Body, however, the Conference have full power over the appointment of the Wesleyan ministers, and can dismiss them in case of misconduct. The ministers of the Wesleyan Methodists, therefore, have an official and recognised *status* which enables us to deal with them in a Bill like this, and to allow them to replace the registrar—a course which it would be difficult to follow in the case of ministers of Nonconformist Bodies who have not that recognised *status*. That is the difficulty we have to encounter in dealing with the matter. I have not the slightest objection to extend the application of this principle; only I observe that some Members who professed their anxiety on a former occasion to remedy this grievance are now conspicuous by their absence. We are told to wait for the Bill of the hon. Member for the Brigg Division. I do not think that Bill has either been printed or read a first time. But there is one remarkable circumstance connected with the Bill of the hon. Member for Brigg and the factious opposition to the hon. Member for Boston. It is that one of the candidates for a neighbouring division, Mr. Perks, is closely connected with that section of the Wesleyan Committee of Privileges, who have opposed the hon. Member for Boston, and Mr. Perks is extremely anxious to claim the credit of having been the first to remedy this grievance. In common justice and fairness to those who have worked at this question for years, and in fairness to the hon. Member for Boston, I think I have shown reasons which should be sufficient to disarm the opposition to this Bill. I hope the House will recognise the principle of the Bill by reading it a second time, and with regard to the omissions, reasonable provisions may, I think, be inserted in Committee dealing with due registration and proper public notice in regard to marriages and other matters. That, I take it, would induce the hon. Member for Brigg, when he comes down to the House ready to oppose the Bill, to bow to its decision. I repeat I hope the House will read the Bill a second time, and that such clauses will be inserted in Committee as will make the Bill a working measure.

*(11.31.) SIR CHARLES RUSSELL (Hackney, S.): I should not have intervened in this Debate but for the appeal to me by the Mover of the Bill, and I say at once that I speak for myself only, and not in any representative capacity. I will not pursue the theme suggested by my hon. and learned Friend the Attorney General as to the differences existing between members of the Wesleyan Methodist Body. I shall support the Second Reading of the Bill for the reason that it aims at removing an existing disability, and I hope it will emerge from the Committee in so different a condition that its author will hardly be able to recognise it. I would suggest to the Attorney General that the title of the Bill is wide enough to cover all cases likely to come within its provisions, such, for instance, as the case of Jewish marriage.

*SIR R. WEBSTER: The Registrar does not have to be present at a Jewish marriage.

*SIR C. RUSSELL: I was not aware of that. My hon. Friend the Member for the Loughborough Division of Leicestershire, who speaks with authority on these matters from the Catholic point of view, said one or two things with which I cannot agree. I fully agree with him that Catholics regard the religious service as a most important matter. They look on marriage as a sacrament, and not as a civil contract; but they also recognise that it is for their interest, as for that of other members of the community, to have preserved complete and satisfactory evidence of the marriage under conditions which the Civil Law will recognise. Therefore, I cannot entertain the difficulty which seems to occur to the hon. Member for the Loughborough Division. Provided always that the religious service is in no way affected, and also that adequate provision is made for giving notice to the Registrar, both before and after the ceremony, no objection to this Bill will be entertained. It is to the interest of Catholics as well as of members of any other Religious Body that marriages should be performed and registered as the law directs. My hon. Friend near me, who made a very excellent speech, seems to be under the impression that the religious ceremony in Catholic countries is necessarily preceded by a civil marriage. He will forgive me, perhaps, if I say he is mistaken, and that he has been misled by his reading of French romances. When once a civil marriage has taken place (except where the Catholic Church has declined to recognise such) no other ceremony is necessary, although, of course, the parties may choose to have a religious recognition of the marriage. But that religious service is not a fresh marriage; there can only be one marriage. Although the Bill as it stands seems to me to be incomplete I shall vote in favour of the Second Reading, as all the omissions may be supplied in Committee.

(11.37). MR. BRUNNER (Cheshire, Northwich): When the hon. Member for the Loughborough Division was speaking I feared from the cry of "Order!" which was raised, when I called "No, no," that I had offended some susceptibilities by suggesting, as I certainly intended to do by the interjection, my doubts whether a recent happy event had made him a special authority on this subject. But when I recollect my own case, I must confess that I subsequently knew very little about the ceremony. The hon. Member told the House that if this right to perform the marriage ceremony, without the presence of the registrar were granted to Wesleyan Methodists other sects would claim a similar recognition by this House, and that thereupon the right would have to be granted to Religious Bodies which have no settled organisation and no recognised ministers. But I have no fears upon that score. I am satisfied that the kindly feeling among Nonconformist Bodies will make those bodies which are not large enough to be included in the privileges of the Bill perfectly ready to perform their marriage services in the places of worship of the larger Nonconformist Bodies. At present great pain is often given to Nonconformists by the insistence on the presence of the registrar at their marriages, and I congratulate myself on having been here to-night to hear from all sides of the House a condemnation of the system.

(11.40.) MR. HALLEY STEWART (Lincolnshire, Spalding): I wish to make but a small contribution to the Debate. I must say I think the difficulty raised by the Attorney General with regard to the free and elastic system which obtains among such denominations as the Baptists and Congregationalists will be found to be a really vital one. Speaking for ministers of those denominations I can say that their main objection to the provisions of the Bill is that they do not wish to be constituted State servants, amenable to the State as registrars, and punishable by the State if they neglect their duty. I hope the Bill will be so enlarged as to provide for all the differences as to the recognition of the functions of these ministers.

(11.42.) MR. FURNESS (Hartlepool) As a Methodist, I am pleased to witness the willingness shown on both sides of the House to do a simple act of justice to those who have suffered so much in the past. Although the Bill in its first clause refers to only one particular body, I am willing to support it on the assurance of the hon. Member for Boston and of the learned Attorney General that its defects will be supplied in Committee.

(11.43.) MR. LLOYD-GEORGE, (Carnarvon, &c.): I, too, hope that, in Committee, the provisions of the Bill will be considerably enlarged. No doubt, in England, the Wesleyan Methodists constitute one of the most powerful among the Nonconformist Bodies; but in Wales

they only rank third or fourth, and, unless the Bill is made applicable to other bodies, very few of the Welsh people will benefit by its enactment. I repeat I shall support the Second Reading in the hope that the scope of the Bill will be enlarged.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

QUALIFICATION OF VOTERS (GUARDIANS) BILL.—(No. 217.)

SECOND READING.

Order for Second Reading read.

*(11.45.) MR. MORTON (Peterborough): I desire to move the Second Reading of this Bill. No doubt Members of the House are generally acquainted with its provisions, and I trust they will agree to this Motion. Boards of Guardians now constitute the only authority left on an electoral footing entirely by itself. I propose that in future the Guardians shall be elected by exactly the same constituencies as elect Corporations and County Councils. At present no one has a vote at a Guardians' election but a person who directly pays rates, and in the City of London alone there are thousands of occupiers who are deprived of the privilege of voting simply because the landlord pays the rates in bulk. I myself am so deprived, and have been for 20 years. We pay high rents and equally high rates, yet we have no voice in the election of Guardians. Again, this provision cuts out the class of working men voters for the same reason. These men are allowed to vote for Councillors or for Vestrymen, but they may not vote for a Poor Law Guardian. Again, under the present system owners get an accumulation of votes. Why should this provision exist? It is all in favour of the rich and against the poor. Altogether the present system is most unsatisfactory. Voting papers which are left at the houses are often not collected, and often are not filled in because people know nothing about them. As we have the ballot for all other elections, why should we not have it for elections of Guardians? I need not at this late hour take up further the time

of the House. For the reason that it will still further reduce the number of lists of voters, and for the other reasons I have stated, I beg to move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Morton.*)

*(11.52.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): The hon. Member appears to have taken his cue from a Bill proposed earlier in the evening, and to have limited the duration of his speech, which, however, does not appear to me to have been at all commensurate with the importance of the subject with which he was dealing. This Bill proposes to abolish the present qualification of voters for the election of Guardians, and to substitute in the boroughs the burgess roll and in counties the county register of voters. I think the House will agree with me that the position of Boards of Guardians is widely different from that of any other Local Authority, and the constitution is one which the House ought not to alter without grave consideration. Possibly some reform is needed; but the hon. Gentleman is not entitled to ask the House to abolish the present system—to abolish the right of owners to vote as owners, or to substitute the burgess roll or the county electors roll for the one in existence unless he can prove he has a better sy,stem to take its place. This is a very important matter, and the Bill does not provide any adequate machinery for carrying out the change that is proposed. One result would be that Boards of Guardians would be elected on a register eight or nine months old. Another defect is that the Bill contains no provision for placing the burgess or county electors roll at the disposal of clerks to Boards of Guardians. It may be said that if the principle of the Bill is adopted, the details for working out that principle can be arranged in Committee. But that is not a fair way of dealing with the House. Those who propose to abolish the present system ought to be prepared with a plan for substituting what is to replace it. I hope that the hon. Member will be satisfied with having raised this discussion, and will withdraw the Bill, though no doubt the present system of voting by voting-papers is eminently unsatisfactory, and requires to be dealt with. But the hon. Member had better wait until the matter is brought forward in a more practical form. The Government cannot assent to the Second Reading of the Bill.

(11.58.) MR. J. R. KELLY (Camberwell, N.): I intend to oppose the Bill. I am not surprised that the Government will have nothing to do with it. I doubt very much whether we should get a better set of men as Guardians than we have now under any such system as the Bill proposes. The hon. Member wishes to get the service franchise, the lodger franchise, and other franchises available for the elections.

*MR. MORTON: I do not propose the service franchise, or the lodger franchise.

MR. J. R. KELLY: Well, the hon. Member proposes the lodger franchise, and I should like to know whether a lodger has the same interest in the expenditure of the rates as an owner or occupier?

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Friday.

SUPPLY—REPORT.

Resolution [23rd February] reported.

ARMY ESTIMATES.

"That a number of Land Forces, not exceeding 153,696, all ranks, be maintained for the Service of the United Kingdom of Great Britain and Ireland at Home and Abroad, excluding Her Majesty's Indian Possessions, during the year ending on the 31st day of March 1892."

Resolution agreed to.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 17.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 2.

Amendment proposed, in page 1, line 24, to leave out from the word "Where,' to the word "borough," in line 25, inclusive, and insert the words—

> "Section 4 of 'The County Electors Act, 1888' shall be deemed to have applied Section 30 of 'The Parliamentary and Municipal Registration Act, 1878,' to a parish situate in a Parliamentary but not in a municipal borough, and to have provided that."—(*Mr. Knowles.*)

Question again proposed, "That the words proposed to be left out stand part of the Clause."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Craig.*)

Objection being taken to Further Proceeding, the Chairman left the Chair, to make his report to the House.

Committee report Progress; to sit again to-morrow.

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Law, and Courts of Justice, and Legal Procedure which may, by Order of the House, be committed to such Standing Committee:—Mr. Tyssen Amherst, Mr. Atherley-Jones, Mr. J. B. Balfour, Mr. Bartley, Mr. Beach, Mr. George Cavendish Bentinck, Mr. Jacob Bright, Mr. Bryce, Mr. Caldwell, Sir George Campbell, Sir Edward Clarke, Dr. Commins, Mr. Radcliffe Cooke, Mr. Donald Crawford, Mr. Cremer, Mr. Darling, Sir John Dorington, Mr. Dugdale, Mr. Arthur Elliot, Mr. John E. Ellis, Sir Thomas Esmonde, Mr. S. T. Evans, Mr. Forrest Fulton, Mr. Herbert Gardner, Mr. Herbert Gladstone, Mr. Haldane, Mr. Hall, Sir W. Vernon Harcourt, Sir Edward Harland, Mr. T. M. Healy, Sir John Pope Hennessy, Mr. Staveley Hill, Mr. Hinckes, Mr. Samuel Hoare, Mr. Hobhouse, Mr. Isaacs, Sir Ughtred Kay-Shuttleworth, Mr. Kenyon, Mr. W. F. Lawrence, Mr. Shaw Lefevre, Mr. Llewellyn, Mr. Lockwood, Viscount Lymington, Mr. Francis Maclean, Mr. Swift Mac Neill, Mr. Madden, Mr. Mahony, Mr. Story-Maskelyne, Mr. Matthews, Mr. Milvain, Mr. John Morley, Mr. Mulholland, Mr. Muntz, Mr. William O'Brien, Mr. Pickard, Mr. Picton, Mr. John E. Redmond, Mr. John Bryn Roberts, Mr. Bannerman Robertson, Sir Albert Rollit, Sir Charles Russell, Sir George Russell, Mr. T. W. Russell, Mr. Ernest Spencer, Sir Richard Temple, Mr. Whitmore, Mr. Wodehouse, and Mr. Stuart-Wortley.

Sir JOHN MOWBRAY further reported from the said Committee; That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating the Trade (including Agriculture and Fishing), Shipping, and Manufacture which may, by Order of the House, be committed to such Standing Committee:—Mr. Addison, Mr. Asher, Mr. Baring, Mr. Barnes, Mr. Barran, Sir Michael Hicks Beach, Sir Edward Birkbeck, Mr. Bolitho, Mr. Bonsor, Mr. Boord, Mr. A. H. Brown, Mr. Brunner, Mr. Burt, Mr. Joseph Chamberlain, Mr. Childers, Mr. Jesse Collings, Mr. Colman, Sir James Corry, Mr. Craig, Sir Charles Dalrymple, Baron Henry De Worms, Mr. Dixon-Hartland, Sir George Elliot, Mr. T. E. Ellis, Colonel Eyre, Mr. Hayes Fisher, Mr. Penrose Fitzgerald, Mr. Gilliat, Sir Julian Goldsmid, Mr. Grotrian, Mr. Heath, Sir William Houldsworth, Mr. Howell, Mr. Hoyle, Mr. Jackson, Mr. William Lowther, Sir John Lubbock, Mr. J. M. Maclean, Mr. Peter M'Donald, Mr. M'Lagan, Mr. Morrogh, Mr. Mowbray, Mr. Mundella, Mr. Murphy, Sir Stafford Northcote, Mr. T. P. O'Connor, Sir Richard Paget, Mr. Parnell, Sir Joseph Pease, Mr. Richard Power, Mr. Rathbone, Mr. Edmund Robertson, Mr. Round, Mr. Sexton, Mr. Sheil, Mr. William P. Sinclair, Mr. Samuel Smith, Mr. Mark Stewart, Mr. T. D. Sullivan, Mr. Tomlinson, Sir George Trevelyan, Sir Richard Webster, Mr. Whitley, Mr. Stephen Williamson, Mr. C. H. Wilson, Mr. Winterbotham, and Mr. Wood.

Ordered, That the Report do lie upon the Table.

House adjourned at ten minutes after Twelve o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Wednesday, 25th February, 1891.

The SPEAKER took the Chair at a quarter past 12 o'clock, but it was not until 12.35, and after attention had been called by Mr. CALDWELL (Glasgow, St. Rollox) to the fact that 40 Members were not present that a House was made.

ORDERS OF THE DAY.

PAROCHIAL BOARDS (SCOTLAND) BILL.—(No. 3.)

SECOND READING.

Order for Second Reading read.

*(12.40.) DR. CAMERON (Glasgow, College): In asking the House to read this Bill a second time, I do so in order to induce the House to affirm the principle that Local Boards entrusted with the important duty of administering taxation in Scotland should be constituted on an analogous basis with Municipal Councils, School Boards, County Councils, and other administrative bodies in this country; the functions performed by these local administrative bodies are of great importance. A sum of £728,000 is levied by them in the shape of poor rates, in addition to £546,000 of Education Rates, and other sums for registration, public health, burial grounds, &c., which bring up the total amount levied by the Parochial Boards of Scotland to at least £1,300,000 per annum—or an average taxation throughout Scotland of 1s. 4d. in the £1, and in certain parishes as much as 3s., 4s., 5s., and even 8s., and 9s. The incidence of other rates is prescribed by Act of Parliament generally, but in the case of rates levied by the Parochial Boards with the solitary exception that they are levied, one half upon the occupiers and the other half upon the owners, owing to a system of classifications and deductions, the enormous sum thus raised is allocated upon different classes of ratepayers at their own discretion. Consequently, in many parts of Scotland, houses, shops, and agricultural land all pay the same rating. In others, houses are taxed upon the full value, whereas land only pays one-third, one-fourth, or one-fifth of what is paid by house property. In some cases a dead set is made against offices and banks. For instance, in Greenock offices are taxed three times as much as houses, and banks pay four times as much; while in Aberdeen the taxation of shops is only one-half as high. The fact is that the preponderance of any single class of members on the Parochial Board gives rise to the danger of an unfair allocation of taxation among the various ratepayers for local purposes. There is this theoretical check: that the sanction of the Board of Supervision is required, but the Board of Supervision has no power of initiation, and its recommendations are treated with very scanty respect. The Board has been constantly recommending a fair system of classification, but so far only 180 out of more than 800 parishes have adopted any form of classification at all. It has been recommended that shopkeepers and farmers should be classified on favourable terms, but so far as the shopkeepers are concerned, the recommendation has been almost entirely disregarded, with the result that the shopkeepers almost universally consider that they are unfairly taxed in reference to the rates levied by the Parochial Boards. The Board of Supervision, in their circulars, have made a strong point of the income of the working men, and have pointed out how heavily the taxation falls upon the possessors of small incomes, but in no single instance has any reduction in the way of rating been accorded to the small householders. Yet the principle is well understood in Scotland in connection with municipal taxation, where, in many instances, half rates are levied on the occupiers of houses of less than £10 value. I believe I am speaking within the mark when I say that not in 50 out of the 835 assessed parishes is the local taxation allocated in accordance with the equitable principle advocated by the Board of Supervision, namely, that it should be proportionate to the means of the contributor. Unfortunately

the public have no effective control over the constitution of the Parochial Boards, and I maintain that the first step in the direction of reform must be a thorough and radical reform of the Boards themselves. In Scotland there are three forms of government in existence in connection with the parochial system. The first is that which exists in the burghal and combination parishes; the next is that which exists in the rural parishes; and the last that which exists in the non-assessed parishes. The unassessed parishes are gradually dying out in Scotland. In 1860 there were 130, in 1870 there were 93, in 1880 there were 65, and in 1890 the number had fallen to 51. Passing from the non-assessed parishes, which, as I have said, are gradually dying out, I come to the burghal and combination parishes. That class consists of 11 parishes, of which three are very small—Stranraer, with a population of 3,000; East Anstruther, with a population of 11,000; and Queensferry, with a population of only 900. Queensferry enjoys the unique distinction among this class of having a larger number of managers of the poor than there are poor to manage. It is a Board which consists of 16 members, and they have only 14 paupers to look after. But these combination parishes contain eight of the most important parishes in Scotland, including Edinburgh, Glasgow, Dundee, Paisley, and part of Aberdeen, and comprising one-fourth of the entire population of Scotland. Dundee has been created a combination parish since the last Return on the subject. In the other seven parishes there are 156 members elected by the ratepayers, 36 representatives of the Kirk Sessions, and 16 representatives of the Magistrates. The elected representatives are thus in a majority of 156 to 52, or three to one. That principle might work well if the representation was a real and popular representation, but I think I shall be able to show that it is nothing of the kind. Let me explain how the Kirk Sessions have found a representation on the Boards. In olden times the Kirk Sessions of the Established Church were the medium through which parochial relief was administered in Scotland. The church door collections were devoted to the relief of the poor, not entirely but to a very large extent, and the heritors possessed a number of bequests which had been left to them by pious founders for the same purpose. When their parochial system was adopted in Scotland in 1846 it was provided that these funds should continue to be allocated to the relief of the poor, and the Kirk Sessions were granted representation on the Parochial Boards to the extent of four members. But so far as the bequests in their hands are concerned, they have never been handed over to the Parochial Boards, and no account has been rendered of them, although repeated attempts have been made in this House to obtain some account. So far as the church-door collections are concerned, out of the sum of £39,000 returned to the Board of Supervision as having been collected in this manner in 1890, only £16 was handed over to the Parochial Authorities for the purpose of parochial relief. Not only is this so, but I believe it is largely owing to the representation of Kirk Sessions on the Parochial Boards that manses and glebes have been allowed to escape altogether from the range of assessment for Poor Law purposes. One thing is clear, that these Kirk Sessions have no pretence to any right of representation upon the Parochial Boards. As to the elected representatives who stand in the proportion of three to one, how is it that they do not control the policy of the Parochial Boards in the public interest? No doubt, to a certain extent, they do control the policy of the Boards, but how are they elected? They are elected by ratepayers who, at the date of the election, have paid their yearly rates. The assessment notices for these rates are issued in the month of October, but payment is not exacted before January or later. In the majority of cases the ratepayers have no desire to pay the rates in advance. The poorer classes are not in a position to make any payment any sooner than they can help, and the consequence is, that when the Parochial Boards are elected in November and December, as is frequently the case, the majority of the electors find themselves completely disfranchised. Then again, the voting is upon a graduated scale, running from one to six in the case of each voter; and what makes the case worse, is the hole and corner manner in which the elections are carried out. Mr. Walker, the Chairman of the Board of Supervision, giving evidence before a Committee in 1878, after stating that the nomination papers were handed to the Inspectors of the Poor prior to the day of election, said that if there was an excess of candidates the vote of the electors present decided the election, but any 10 ratepayers could render the election void by demanding that voting papers should be issued to all the electors of the parish and district. Contests were extremely rare. In the parish of Aberdeen there has never been a contest at all. When I first introduced this Bill in 1883, on the faith of the evidence of the Chairman of the Board of Supervision, I supposed that this system had formerly existed in Glasgow and still continued there, but it turned out that that was not so, and I was consequently subjected to much denunciation. It turned out, however, that at the election of 1883 in Glasgow City parish there were three wards in which there were contests. The number of the Municipal electors was 45,000, and they must all have been ratepayers in order to have obtained a qualification; in addition to a number of owners who possessed a Poor Law qualification, but were disqualified for Municipal purposes, because they lived too far from the Municipal boundary, out of the total number of over 45,000 only 7,964 were qualified to vote at the time the election took place, and as a matter of fact only 1,400 did vote. Nearly five-sixths were disqualified owing to the time at which the rates were collected and the date at which the election was fixed. It is curious to note the influence that the date of the elections for the Parochial Boards has upon the reforming or anti-reforming tendencies of the Board. There is the Govan parish. The Board there is elected in April, by which time a large number of electors have paid their rates and are qualified. That parish sends up a Petition in favour of this Bill. The city parish, which has its election in December, Petitions against the Bill; it does not want reform, though I am bound to say that the majority against the Bill was only one. The Barony parish goes dead against the Bill. Its election is in November. These burghal parishes might be placed on a fairly good basis without any very fundamental or radical change. What we should require to do would be to remove from them all the *ex officio* members, to fix the date of the election sufficiently late to allow persons ample opportunity of qualifying themselves by the payment of their rates, to abolish the system of multiple voting, and to enact some simple uniform and intelligible system of taking the parish vote in the place of the very unintelligible and varying system that at present prevails. If you did this you would secure in these eight parishes a system of representation which would be satisfactory and popular. It is quite different in the case of the next class of parishes with which I have to deal, the non-burghal or rural assessed parishes. This class of parishes embraces 824 out of the 886 parishes in Scotland—it embraces very many important towns such as Greenock, Leith, Kilmarnock, Perth, Inverness, Stirling, and a large portion of Aberdeen. In these non-burghal or rural districts every heritor or proprietor who pays rates on more than the annual value of £20 is entitled to a seat upon the Parochial Board, and the Kirk Sessions are entitled to send six representatives to the Board. The smaller heritors and occupiers hold elections at which they choose such numbers of representatives as the Board of Supervision may think good to allot to them. Thus constituted some of these Boards are of the most enormous dimensions. There is Old Machar in Aberdeen, which is probably the largest deliberative and administrative assembly in the world: it has 2,180 members. Then comes South Leith, which at the date of the return had 1,639. Next there is Greenock with 1,134 members, and I could cite a number of cases in which the Parochial Boards have a sufficient number of men to completely fill this House of Commons. Taking all the Parochial Boards of this class in Scotland together, I find they consist of 90 per cent. of owners of property above the annual value of £20, to the extent of 5 per cent. of *ex officios* representing the Kirk Sessions and Commissioners of Supply, and to the extent of 5 per cent. of representives of the ratepayers and of the smaller heritors. The first proceeding of a cumbrous Board of this sort is necessarily to delegate its functions to a Committee sufficiently small to perform the work. On this Committee the routine work of the parish devolves; but if there is any stirring question, if there is some job to be perpetrated—the election of an officer for instance—mandates are canvassed for, and the decision of the Committee may be upset. But independently of these occasional occurrences, a most unsatisfactory state of matters in regard to the election of the Committee itself prevails. Here again mandates or proxies are made use of. A person may get sufficient number of proxies as to enable him to name the Committee himself. In this way it constantly happens that the ratepayers, after going to the trouble of electing representatives, find the elected representative turned out of the Committee of Management altogether. That was the case only the other day at South Leith. A meeting was held for the purpose of nominating the Committee of Management, and only one of the 15 elected representatives was nominated. Eventually, however, three more elected representatives were added to the list. It is a curious fact that mandates are valid until they are recalled, consequently if a member collects a number of mandates in respect of something which is to take place in 1891, he may be at liberty, if he preserves them, to use them, provided they have not been recalled, in respect of something which may take place in 1901. Over the whole of Scotland I find the Committees of Management consist to the extent of 60 per cent of proprietors paying rates on property above the annual value of £20, to the extent of 24 per cent. of elected representatives, to the extent of 14 per cent. of the representatives of the Kirk Sessions, and to the extent of 2 per cent. of the representatives of Magistrates and Commissioners of Supply. Almost in every case the heritor element cuts down the number of elected representatives; in no fewer than 30 parishes at the date of the Return they were turned out altogether. In only one parish — Colace, in Perthshire —at the date of the Return did the representatives of the ratepayers monopolise the Committee of Management. In four parishes the Committee was exclusively composed of members of the Kirk Sessions, and in 38 parishes the representatives of the Kirk Sessions outnumbered the heritors and the elected members combined. I am sure it is only requisite to make such a state of things known to a House elected by household suffrage to secure its abolition. When I brought forward my Bill in 1883 I was told that the system was full of anomalies, but it worked well. In 1883 I culled a considerable number of facts from Blue Books and elsewhere to show how badly the system worked. I do not think it is necessary to weary the House with those facts now, and I do not want to make any attack on individual Boards. Opinion in this House has vastly advanced since 1883, and I think I may assume that the principle is now admitted that Boards entrusted with such extensive powers of administration and taxation as are the Parochial Boards should be elected like other similar bodies. In 1883 the Second Reading of my Bill was supported by the Liberal Government then in power, and it was carried though not by a very large majority. In the Division there were three Scotch Members for the Bill to two against it. In 1888 the Bill was opposed by the Conservative Government on the ground that the Lord Advocate was about to introduce another Bill on the subject. I, however, went to a Division and was defeated, but on that occasion two-thirds of the Scotch Members who voted, voted for the Bill. Later on the Lord Advocate brought in his Bill. That Bill was gratifying to me, in so far as it went almost entirely on the lines of the Bill I had previously introduced. The measure did not expressly abolish mandates, but I have no doubt the omission was unintentional. The two Bills differed in this, that in the Bill of the right hon. and learned Gentleman it was proposed to divide the Members of the Parochial Boards into two equal parts, one of which was to be elected by owners and the other by occupiers. I presume his idea was that as owners pay half the rates they should have half the representation. I have not the smallest hesitation in saying that the Lord Advocate advanced vastly ahead of any of his predecessors. His predecessors only tinkered against the subject, but he went to the root of the matter. Had it not been for the vicious principle respecting elections which he adopted, his Bill might have been regarded as perfectly satisfactory. The principle of election the right hon. and learned Gentleman wished to establish was entirely novel, and so far as Boards of such magnitude are concerned entirely revolutionary. Various objections have been taken to my Bill. A most elaborate statement of them is to be found in the petition from the Barony parish; but every one of the objections will, I think, be found to apply to the Bill of the Lord Advocate. The first objection is that all parishes in Scotland, burghal and rural, will be placed in the same position. That is the case under the Lord Advocate's Bill. My Bill proposes, it is said, to revolutionise the existing system of election. That applies equally to the Lord Advocate's Bill. It will create, the Petition goes on to say, a second roll of voters. The Bill of the right hon. and learned Gentleman propound the same thing. Then we come to the objection as to the enfranchisement of the people who have not paid rates. That applies equally to the Lord Advocate's Bill. I must say I think the proposal is a right and proper one. In these days, when Parliament gives huge grants in aid of local taxation, when every person is compelled to contribute towards those grants in aid, it is absurd to argue that only those who pay rates directly are entitled to representation. But the main objection urged by the Barony parish is that under my Bill a number of non-resident ratepayers, people who at present pay large sums in rates, but who do not live within seven miles of the boundaries of the parish or municipality in which they pay, will be disfranchised. I have no desire to disfranchise them, and I am perfectly prepared to allow their names to be added to the roll. I do not think it will make any practical difference in the constitution of the Board. I want representation of the widest possible character—one man one vote, but as many voters as possible. But whatever the value of that objection is, it applies equally to the Bill of the Lord Advocate. Then the petitioners say this is not a complete measure. It is just as complete as the right hon. and learned Gentleman's. Neither Bill proposes to deal with a parochial system as a whole, and I am afraid that any Bill dealing with the whole subject would be sure to meet with defeat. There is only one other point on which I have a word to say, and that is the franchise I have selected. If you want an instance of Boards of modern constitution levying rates, half upon owners and half upon occupiers, I would point to the School Board. I am quite prepared to take the School Board franchise, but I know some people will say, a large number of people who enjoy that franchise do not pay rates. I know the right hon. and learned Gentleman does not like the School Board franchise, for he proposed to amend it last year. I wish to fall in with his views as far as I can, and I have adopted his proposed Amendment as to the School Board franchise. I did so because, by doing so, I at once met the objection which I knew would otherwise be raised. I thank the House for having listened to me with so much patience, and beg to move the Second Reading.

Motion made, and Question proposed, "That this Bill be now read a second time."—(*Dr. Cameron.*)

(1.28.) MR. MARK STEWART (Kirkcudbright): The House has listened with great attention to the long and able speech of my hon. Friend, but I wish to remind hon. Members that there is a side to the question which the hon. Gentleman has not presented. My hon. Friend has used strong language as to the present system. The present system has existed since 1845, and has, in my opinion, on the whole, worked extremely well. Let me, however, preface what I am going to say by stating that I shall speak chiefly for rural parishes, as my experience of Parochial Boards has been gained in such parishes. I have been the Chairman of a Parochial Board for nearly 25 years, and I have attended innumerable meetings. I have seen how things work out, and I have no hesitation in saying that the present system, although it is by no means perfect, secures fair and ample justice being done. The Bill is most sweeping in its character—it abolishes a system that has worked very well. The system which existed before 1845 has been explained by the hon. Member for the College Division. At that time there was no systematic assistance given to paupers except by the church door collections; the Kirk Sessions were the only recipients and distributors of relief, they and the parish clergy. Naturally, when the Act of 1845 was carried, the element of good in the system which had worked so well for many years was inserted in the Act. The system in Scotland differs a good deal from that in England. Poor relief is only given to those who are disabled, or partially disabled, by age or infirmity, or incapable of earning their own maintenance; whereas in England it is possible, I believe, to relieve able-bodied men, and such relief is given. Now, I think anyone who has had experience of Parochial Boards will agree with me that the poor are not taken care of. The only fault to be found—a fault that is found by the Board of Supervision—is that too much money is given, that there are too many paupers on the roll, that the roll ought to be purged. The Board of Supervision draws a strict line as to persons to receive relief and those who should be supported by their relations, whoever they may be. In the parish with which I am best acquainted the rule of the Board is to give relief to those who have for a long time preserved a position of respectability and industry, and have done their best in the parish. But we are confronted with a very serious difficulty arising in the City, a division of which the hon. Member represents. There are a great number of our poor who work out their lives there, and yet fail to obtain settlement of residence in the City of Glasgow, and come back crippled or in bad health, and are thrown upon the parish of their birth because they have lost that five years' residence which establishes a settlement in Glasgow. Glasgow, it may not be known to all hon. Members, has very many parishes so divided that the mere crossing of a street may be entering another parish, so that when it is difficult to trace an actual settlement the man is at once thrown back upon the parish of his birth. Now, the local management of the Boards which has been impugned to-day is, on the whole, I think good. You have anomalies, but the Boards are thoroughly well qualified to deal with the poor of the surrounding districts. The large proprietors are represented by themselves or their factors, and I should certainly hope that in any Bill passed by this House the system will be continued, which allows proprietors to give mandates. How is a Member of Parliament to discharge his duty to the poor in his own district when he has to attend to his duties in this House? A large proprietor long resident knows the circumstances of the poor in his district, and though hon. Members may object to the system practical experience has shown that it works well, and I hope it will long continue. Then you have also the elders of Kirk Sessions, who, generally speaking, live in the vicinity; they are in constant communication with the minister of the parish, and are usually on very friendly terms with any dissenting community in the parish, and their advice is quite as much regarded as that of the proprietor or the minister of the Church. Then you have the elected members specially representing the ratepayers. So you have in that way five or six different classes represented. All can "have their say" and give their vote in regard to the proper care to be bestowed upon their poorer neighbours. The system has worked so well that many of its branches have been introduced and, as I may say, engrafted upon other Local Bodies. A few years ago it was thought a strange thing in England to board out pauper children, but we have done that with advantage in Scotland for many years. We have placed such children in the hands of respectable families, and these children brought up without the Poor House taint, have become independent useful members of society. We have another system now being adopted in England of boarding out lunatics, and there are other matters I might adduce to show that this present system now so much decried, has done good and useful work in the country. No doubt the Board of Supervision has taken an active part and rendered itself unpopular with several Boards; but the Board of Supervision has done very useful work, reducing expenditure which would otherwise have fallen upon the ratepayers by the too benevolent intention of the Boards. The Board of Supervision has laid down the principle that a man shall be assessed according to his classification, but in rural parishes there is no classification. The hon. Member draws a line between house proprietors and shopkeepers.

*DR. CAMERON: I said the Board of Supervision recommended that classification, but only a few Boards have followed that recommendation.

MR. MARK STEWART: I understood the hon. Member to urge that the Board of Supervision insisted upon it. My point is that we hardly know of such a thing, and that this experience of the Board has been extremely useful. I maintain that at the present time the change would be most inexpedient. We have recently had County Councils set up, and there have been discussions whether County Councils should take up this matter of local Poor Law provision working it through Committees. I do not think that County Councils have come to any resolution on the subject, and I am quite certain they have not considered it in its full bearing. I should be sorry to see any sweeping measure such as this passed, throwing over an old system, before we are thoroughly prepared to say what we are going to have in the future. I question very much if the County Councils could, or would, take it up, properly speaking. Of course they could do so, but whether they could know all the relations and connections of individuals with the parish to judge whether they would be proper recipients of parochial relief is matter for question. I should like to know has the hon. Gentleman received any letters or Petitions upon this subject — is there any feeling in the country in regard to it at all? I have received but one resolution from the burgh of Govan which, I think, has been alluded to. In that, by no means unanimously arrived at, several propositions in this Bill are disputed, and these objections constitute a strong argument against the Bill. Objection is taken to Parochial Board Elections taking place in April. They would like elections to take place every three years instead of a third of the representatives going out every year, so inviting a possible election every year in parishes where so many elections already go on. Further they protest against the expense which might attach to members of the large burgh Boards being placed in the same position as burgesses on Town Councils. Further, they say it is only but fair that all ratepayers who have property in the burgh should be permitted to vote in that burgh—whereas the present Bill would exclude those who live at a certain distance from the burgh from exercising their vote. Now, if the present system works well—if there is no demand for such a measure as this—what is the reason for the anxiety of the hon. Member on the subject? It is improper to impute motives to hon. Members in this House, but I cannot help feeling that we are approaching or are within measurable distance of a General Election, and the hon. Member is influenced, perhaps, by the effect this Bill might have on the result. A word on the constitution of the Parochial Boards. The hon. Member has referred to the elective members being fixed and arranged by the Board of Supervision. This was settled many years ago; and, as a rule, there is no dispute about the elected members being too few or too many. The members nominated are well able to give their time and attention to the work; the members of Kirk Sessions are limited to four; and surely it is a very fair Board to decide on oft-times very difficult matters involving questions of law. I know the Scotch Law of Settlement requires a very much more acute mind than hon. Gentlemen may think who have not followed the procedure in Burgh Boards. I have alluded to the Kirk Sessions, to the owners of property over £20, and members elected by the ratepayers fixed by the Board of Supervision; and then there is the case of the Royal Burghs, where there are the additions, and where the system has worked well. One of the reasons that influenced the Committee of 1871 in drawing up their Report was that you ought to have persons who are specially responsible for the rates, occupying a strong position—not necessarily a majority—but occupying a strong position on the constituted Parochial Board; and they pointed out the necessity of some check on the action of those on the Board who, connected with the possible recipients of relief, might be disposed to throw upon the rates expenditure they might be required to bear themselves. The presence of the parish minister, too, on the Board has sometimes a tendency to increase the allowances and to foster objection to the application of the Poor House test. Further, they recommended the raising of the qualification of members from £20 to a minimum to be fixed by the Board of Supervision, but not to exceed £500. These were recommendations of a very strong Committee that took all this subject into full consideration. Hon. Members have but to look at the names on the Committee—they will see they were Members distinguished on both sides of the House. The Committee made a thorough inquiry extending over many days. They recommended that farmers paying the largest rent in the parish should be qualified to sit on the Board without election. To the proposed constitution of the Board under the Bill I do not object, but I do wish to see the constitution of future Parochial Boards, if we are to have them changed, so mixed that all classes will be sure to have a voice in the matter. I do not want to throw the influence into the hands of one class, and I deprecate the idea that owners should have a dominant voice. I do not, however, want to have that voice excluded, and so I would retain the owner's mandate upon matters of so much importance to himself and his neighbours. There is one point in the Bill I do not quite appreciate—that the elective Members may be females.

*DR. CAMERON: It is a right which they possess. I simply guard an existing right.

MR. MARK STEWART: I have never heard of them taking up that position, but, of course, if the hon. Member tells me I am wrong in law I accept his ruling. There is a further point in relation to the number on the Board. I think that in large parishes where meetings are frequent, sometimes fortnightly, it is desirable to have a full number to allow

for the absence on business which many men find unavoidable. The hon. Member criticised the somewhat antiquated form in which the elections are conducted, and I am not concerned to defend it. There is ample room for improvement, but I would point out that it is rather a piece of testimony to good management that so little interest is excited in these elections. Time after time, year after year, in different parishes I have seen the same men returned without contest, the ratepayers being thoroughly satisfied with the work of the members. I do not defend the form of election, but I cannot admit it is a "hole and corner" election, and I do not think anybody will say so who is fully acquainted with the facts. If a person qualified to vote does not vote it is his own fault. The time of election was another point to which the hon. Member referred. Is he aware that years ago the Board of Supervision fixed the time in conjunction with the Parochial Board?

*DR. CAMERON: There is a dispute whether the Board of Supervision was willing to accede to the request of Parochial Boards to change the date. Parochial Boards say they have applied for a change and the Board of Supervision has refused it. On the other hand the Board of Supervision say it is willing to suit the convenience of Parochial Boards.

MR. MARK STEWART: I have always heard there is no difficulty in making the change in special instances. You cannot expect it to be convenient alike in all parishes, and I believe the Board of Supervision is quite willing to acquiesce in a convenient arrangement. You cannot have a hard and fast line all over Scotland and if it is convenient in Glasgow to have elections in April or May, I think there would be no difficulty in coming to an arrangement. The elections are not held in a "hole and corner" manner, they are advertised I know ten days at least previously in the local newspapers, so that people have ample notice. I conclude my remarks with the Motion that the Bill be read a second time this day six months. There is no demand for the Bill, or very little demand indeed. The present Boards are in the main working very well, and though the system has some anomalies that require amendment, on the whole I think it works well, and I hope it will long continue.

(1.59.) SIR ARCHIBALD ORR-EWING (Dumbarton): I beg to second the Motion; but in doing so let me say that, while I question very much whether such a change as this Bill proposes would be very beneficial to the country, I admit that the principle is one that we cannot oppose, seeing that it is a principle that has been recognised on this side of the House, that Boards for the management of their own affairs should be elected. I confess my first objection to the Bill is due to the fact of it having been introduced by the hon. Member for the College Division. It is a question of such delicacy and complexity that it should be dealt with by the Government. I am not against the extension of the elective principle; but I think hon. Members from Scotland and this House will be wise in rejecting the measure, in the hope that the Government will, either this year or next year, be able to bring in a large and comprehensive Bill which will change the present system and be satisfactory to Scotland. (2.0.)

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "this day six months."—(*Mr. Mark Stewart.*)

Question proposed, "That the word 'now' stand part of the Question."

*(2.21.) MR. SHIRESS WILL (Montrose, &c.): If anything had been wanting to convince me of the necessity of the Bill before the House, the want would have been supplied by the speech of the hon. Baronet who last spoke. The hon. Baronet is a gentleman of great experience in matters relating to the business of Parochial Boards: he has told us that he is chairman of at least one Parochial Board, and it is not to be doubted that in the discharge of his duties he has studied carefully the many questions that have to be dealt with by those bodies. He is well versed in the necessity of getting people on the Boards who are capable of discharging the duties; and, bringing his experience to bear on the question before the House, the hon. Baronet has laid down two propositions. He has said that he approves the principle, that all Parochial Boards should be representative, and he added that he was generally in favour of the principle of the Bill; and how an hon. Member, holding those two opinions, and in face of the fact that the Government now in office brought in a Bill two years ago in the very direction of the proposal of the hon. Member for the College Division of Glasgow, can find it consistent with his former action to vote now for the rejection of that measure, I cannot understand. But the hon. Baronet did give a reason and let us examine what it was—He said in effect "Although I am in favour of the principle of the Bill, and although I consider that all such Boards should be representative, although I admit that these Parochial Boards are not now representative, I intend to wait till the Government introduces some more comprehensive scheme." Well, the Scottish Members on this side of the House would like to know what more comprehensive scheme can be devised or has ever been suggested for reforming the constitution of Parochial Boards in Scotland. The hon. Member should have remembered the action of the Government in 1888. The right hon. and learned Gentleman the Lord Advocate and the Government, of whom he was the mouthpiece on this question, acknowledged the necessity for reform by bringing in their Bill. What did that Bill acknowledge? Why, that these Boards, not being representative, ought to be made representative. It acknowledged, in the next place, that the present system of voting which now is multiple, as has been described, ought no longer to exist. It proposed to abolish the system and proposed a new franchise for the election of a representative Board such as is proposed in this Bill, and I believe I am right in saying that, substantially, the only point which the Bill of the right hon. Gentleman did not cover, and which this Bill does cover, was the question of voting by proxy for the Parochial Boards. What is it that we have to understand by the remark of the hon. Baronet who last spoke that we should wait until a Bill is brought in by the Government? Pass-

ing, however, from that speech, I wish to say a few words as to the speech to which the House has listened from the hon. Gentleman the Member for the Stewartry. The speech of the hon. Gentleman appeared to have for its object the conversion of the Lord Advocate, because all the arguments used in it were arguments which must have been rejected by the Government, when the Government in their Bill in 1888 sought to do what it is sought to do now, though perhaps as regards details in not exactly the same form. The hon. Gentleman the Member for the Stewartry said he could find no fault at all with the present system, which is 45 or 50 years old. That was enough for him. Indeed, that it was a fine old crusted institution—which, as he said, had been doing good. I am prepared to admit, if the hon. Gentleman likes, for the purpose of the present argument, that the existing system has worked well, but I would remind the House that when the Local Government Bill for Scotland was passed it was said from the Benches opposite, and admitted from those on the Opposition side, that the Commissioners of Supply had worked well. The time, however, had come—and everybody acknowledged it—when representative bodies ought to have control of local business, and it was agreed on all hands that the existing Boards should be supplanted by the means which the Local Government Bill for Scotland effected Then, having used that argument, the hon. Gentleman went on to give a few other reasons why the Bill should not be accepted. He denied that there was any necessity for abolishing mandates, and said he would speak for rural parishes. I may be permitted to remind the House how the rural parishes of which the hon. Member spoke are nominated or elected. Every owner of land or heritages of the annual value of £20 or over is on the Board as a matter of course, without nomination or election. Then, in the next place, you have the Provost and Bailies of any Royal Burgh within the parish appointed *ex officio*. Then, again, you have the representatives of the Kirk Sessions—or, if there are more than six, you have six of them nominated by the Kirk Sessions. After that vast multitude of people—for the owners may amount in some cases to over 1,000, as has been pointed out by the mover of the Second Reading—you have a certain small number of elected members, the number being named by the Board of Supervision. Now, I cannot imagine, on the first blush of it, any Board more likely to work inefficiently, and to serve its purpose more inefficiently than a Board so constituted. What is everybody's business is nobody's business. If you have Members on the Board of a certain rateable value, they can give to some person a mandate to vote for them when he pleases, for what he pleases, and under what conditions he pleases. I should have thought that the time had come, when even the House of Lords having discontinued their system of voting by proxy—that this system of voting by proxy in the parishes of Scotland might very well be considered inadequate, or that something better might be put in its place. The next argument was that the members of the Kirk Session are on the spot—a most remarkable argument. I should have thought that other Ministers of the Gospel were also on the spot; and I assume that had we representative Boards we should also find the elected members on the spot. Then the hon. Gentleman says that the Kirk Session know all about the people. I challenge that entirely. I quite agree that the Kirk Sessions may know their own business, but I question that they know all about the business of other people. I think there are other Institutions in the parishes of Scotland, moreover, who know quite as much about the wants of the people. The hon. Gentleman spoke of boarding out lunatics, and said that in this respect the present Institution works remarkably well. I do not deny the efficiency of the hon. Gentleman as a member of the Boards to which he belongs, and that the duty to which he refers will be as efficiently discharged as it can be by a non-representative Body. Nevertheless, a representative Body would probably do it as well, if not with more satisfaction to ratepayers. The hon. Gentleman's next argument was in defence of the Board of Supervision. Nobody attacks the Board of Supervision in connection with the Bill before the House. It is a Board similar to the Local

Government Board of England, and has a general control over the Parochial Boards and Rural and Urban Sanitary Authorities. It has been said that this Bill is not wanted, and that it has been introduced for electioneering purposes. I will tell him who wants the Bill. The Government wants it. They introduced it in 1888—and presumably because it was wanted—and I should have thought that a sufficient answer to the hon. Gentleman. Besides, my hon. Friend introduced substantially the same Bill in 1883, and more than once in the present Parliament. I appeal to the Government to allow this Bill to pass the Second Reading, so that it may go before a Committee. If the Government see fit to adopt the suggestion, Amendments on matters of details may be suitably introduced, and hon. Members opposite may have an opportunity of enforcing their views. It would be wrong to delay a measure which is wanted in Scotland, and can be made useful.

*(2.50.) MR. ESSLEMONT (Aberdeen, E.): I think it is about time that we had some arguments addressed against this Bill. There have been none so far. The hon. Member for the Stewartry is the usual exception to the rule, and, lurking behind his own trench, declares his opposition to this Bill. Probably he is the only man who, after an experience of 20 years of the present condition of things, would say that the present system of Parochial Boards in Scotland is not indefensible. The hon. Gentleman has not taken into consideration the circumstance that it is not every Parochial Board in Scotland which possesses so excellent a chairman as he is, and that those interested in the question have not found the Parochial Boards exactly the most representative Bodies even in recent years. The hon. Member very properly referred to a Report of 20 years ago on the subject, but I am not sure that the recommendations in that Report support his contention against a change in the present system. There has been a great number of changes within the last 20 years, and I am sure the Lord Advocate would be the last to use an argument based on a Report of 20 years ago. The hon. Baronet who seconded this Motion declared with great good sense that the present parochial system was entirely indefensible, and he frankly admitted that his whole and sole reason for opposing the Bill was that the hon. Member for the College Division of Glasgow had introduced it. The hon. Member for the College Division made a most able and incontrovertible speech. In my constituency I have made a study of this parochial system, and I find that the land is assessed at one-fifth of the value of the dwellings in villages; that is to say, the first is assessed at 6d. in the £1, and the other is assessed at 2s. 6d. in the £1. It is natural that the landlords, who are all influential on the Parochial Boards, should take as little out of the land as possible, and as much out of the villages and the householders as they possibly can. They have the power, and they use it. They follow out the policy of doing the best they can for themselves. But the system is one which I am sure will not be defended by the Government, or by anyone who has paid any attention to it. This subject, I say with all sincerity, is one of supreme importance. I know of nothing which affects the condition of the working classes more than the administration of the Poor Law. It is constantly coming to my ears that people belonging to the Dissenting churches are not cared for or looked upon in the same way as those who belong to the parish churches; and they feel it a matter of humiliation that in their troubles they cannot go to their own elder, or minister and have their case fairly represented. They find that it is necessary to go to the parish minister, who, thereby, has a superior position in the Kirk Sessions, compared with their own minister and their own Kirk Sessions. I am quite aware that members of the Kirk Sessions go out of the way to allay this feeling, and deprive it of force. But you cannot expect to destroy it, and it is a source of great jealousy and heart burning, widespread, and well understood in most of our parishes. It is said that the people of Scotland are satisfied with the existing state of things because they take no interest in the elections. But it only requires that a *coterie* should have the mandates in their

pockets, and they can control the whole parochial system. The people know this, and that it is useless to manifest interest in the elections, so long as the wealthier classes have the control. My hon. Friend the Member for Kirkcudbright has said it was a dangerous thing to give poor people the power of electing those who administer relief to the poor.

MR. MARK STEWART: I rise to Order. I read an extract from the Report of the Select Committee of 1871, I did not give it as my own opinion at all.

*MR. ESSLEMONT: I thank the hon. Member for the explanation, but at any rate he read the opinion as one which he approved; if he does not approve it but condemns it, I should be glad to hear him say so. I maintain that it is a hard thing for the poorer class whose friends are placed in the unfortunate circumstances necessitating the receipt of poor relief to be told that they have no right to take part in matters bearing on the welfare of those in whom they take the strongest interest; for my part I believe that they would be more likely to arrive at just and fair decisions in regard to those with whom they can feel and with whom they can sympathise, than the better class who do not understand the wants and conditions of the poor as they do. I fully admit that there may be a good deal to be said regarding the details of this Bill, but those are matters which can be dealt with in Committee. What we now ask the House to affirm is, that the present system is anomalous, and requires Amendment, which the House ought to do the more readily seeing that both sides have already gone a long way in the direction of suggesting a large and substantial reform of our parochial system. What we need in Scotland as much as in any part of the Empire is a greater simplification of our Parochial Boards. I trust the present Lord Advocate, during the limited period of his power, may yet carry a measure which will bring about the simplification of these Boards; we have already gone a long step towards this; but I trust we may soon go several steps further, so that we may have these bodies elected on a similar principle to that which governs elections of School Boards, County Boards, and Parliamentary Representatives. The vote for Members of Parliament is of little consequence to the working man compared with the interest he feels in his own parish, and matters which are of constant occurrence at his own door. We have had trotted out to us the improvement that has taken place in the Law of Lunacy under the boarding out system. But where did that originate? Why, in places where a popular election was most thorough. For my part, I hope that this system will be greatly extended, as I believe it to be the means of doing much good. I will not, however, detain the House further; but for the reasons I have given I shall give my cordial support to the Bill. I think it will be shown that a large proportion of the Scotch Members will vote for it; and if it be rejected through Government using the overwhelming force of their majority against the Scottish people, they will merely be furnishing another argument in proof of the fact that although the bulk of the Scotch Members are endeavouring year after year to do the best they can for their country and their constituencies their demands are negatived by an adverse majority which neither knows nor cares for the wishes of the Scottish people, but merely uses its power at the bidding of the Government to frustrate the wishes of the overwhelming majority of the Scotch Members. I would remind the Government that these things are noted, and constantly noted, by the Scotch people, and I again warn them, as I have warned them on former occasions, that if they wish to prevent the growth of a Home Rule feeling in Scotland, it will be by listening to the reasonable requirements of the Scotch Members as put forth in this House, not unduly nor too frequently, but, at any rate, with earnestness and sincerity.

(2.50.) MR. A. ELLIOT (Roxburgh): Perhaps I may be allowed to call the attention of the House to the subject with which we have to deal. We are not dealing with the question of the constitution of a legislative representative body, we are merely engaged in considering the constitution of a body whose function it is to deal with the administration of the Poor Law. For my own part, I have always been one of those who have taken a strong line in the direction of making the franchise as wide as possible in regard to the Representatives who are sent here for legislative purposes. But when we are engaged in the consideration of a measure relating to the constitution of a totally different body, charged with the control of a purely local system, the questions which arise are of a totally different character. What the House has to consider is, what are the functions the Scotch Parochial Boards have to perform, and how we are to get the Boards which will best discharge those functions. I must confess that on first reading this Bill I was struck with the importance attached to it. It should not be forgotten that it is intended that the Poor Law electors in Scotland are to be the same persons as elect the County Councils and Parliamentary Representatives. Doubtless, every householder in Scotland is interested in the manner in which we legislate here, and the decisions we arrive at on the general policy of the country. To my mind, it does not matter how much a man pays in rates and taxes as long as he is concerned in the course of policy pursued by Parliament; but when we are asked to deal with the mode of electing a Parochial Board who have to make the rates and raise the funds for the relief of the poor, and also to determine how the money shall be spent, it does strike me that it would be an unwise thing if the electors, having to choose the men composing those Boards, should largely consist of persons who pay no rates at all. I can understand that the rural labourer, the gamekeeper, or the gardener, who, doubtless, are much under the influence of their employers, should take their fair share in the Imperial concerns of the country; but, on the other hand, I do not think it right that the labourer, the gamekeeper, and gardener, who do not contribute a single sixpence to the Poors Rate, should be empowered to decide by their votes who shall be responsible for the local administration of the Poor Law. My hon. Friend (Dr. Cameron) in the exhaustive speech he has made has spoken of these Parochial Boards being constituted in some cases of hundreds and, indeed, thousands of individuals, and it is clear that we ought in some way to have the Committees properly constituted. Here arises the question whether certain individuals should be *ex officio* members of the Board. That is an important matter for our consideration. And with regard to the Kirk Sessions representatives, I would say I see no sense or reason in any *ex officio* representation of the Kirk Sessions as such. Again, I do not see why the Provosts and Magistrates of the rural burghs should not be entitled to act as *ex officio* members of these Boards. Nevertheless, I am not prepared, as a matter of principle, to support the proposition that all *ex officio* representation on the Parochial Boards of Scotland is to be condemned. The Magistrates in the burghs are generally men of great experience, and in the majority of cases the Provosts and Magistrates are found extremely useful on the Parochial Boards. With regard to the question of allowing those who do not pay their share of the rates to assist in controlling their expenditure, we have heard of remarkable cases in Ireland where relief which has come from sources other than the ratepayers' pockets has been administered in the most lavish manner. This is a thing that can hardly be possible in Scotland, but I think it will be generally admitted that there is always a tendency to be a little reckless in the distribution of relief, which has not been provided out of the pockets of those by whom it is administered. If this Bill is to be rejected I hope the Government will be enabled before very long to bring forward some measure of their own by which these Local Boards may be thoroughly overhauled and reconstituted. I cannot approve of the principle of the Bill, and must, therefore, vote against the Motion for its Second Reading.

(3.30.) MR. CALDWELL (Glasgow, St. Rollox): I need not detain the House with any arguments in support of the Bill, because none whatever have been advanced against it, for what my hon. Friends have said by way of objection to the principle of the Bill applies with equal force to the Bill introduced by the Lord Advocate two years since. It is too late in the day now to try and do away with the elective principle, which it is the sole purpose of this Bill to extend to the Parochial Boards. We already have in the County Councils and School Boards of Scotland, the purely elective principle in force, and we are only asking that the Parochial Boards, which exercise much the same powers as the other bodies, shall have the franchise on which they are elected altered, so as to make it in conformity with the general principle. The Parochial Boards have to deal with a local taxation amounting to £728,000; the School Boards deal with a local taxation of £546,000 in addition to a Government grant of £500,000 sterling; and the School Board, which deals with the larger amount of money, is based on the purely elective principle. No one better knows the state of feeling in Scotland than the hon. Member for Dumbarton, and he says it is too late for anyone to dispute that principle. His only objection to the Bill was that it was introduced by my Colleague the hon. Member for the College Division of Glasgow instead of by the Government. It has also been alleged that the Bill has been introduced in view of a General Election. But the Bill was originally introduced in 1883, and it has been before the House several times since. When the Bill was introduced in 1888 I voted against it, and for the reason that it was said the Government were about to deal in a comprehensive manner with local government for Scotland; and it was advisable to see their scheme before we began tinkering with existing institutions. But what has since happened? The Government have introduced their Bill, and we know that instead of having gone on the principle of a purely elective body, they adhere to the system of making the rates payable half by the landlord and half by the tenant, and of having a Board one half of which consists solely of owners' representatives. I venture to say that a proposal of that kind is most reactionary. I am not at all surprised to find that hon. Members opposite fear that the question of the constitution of Parochial Boards is one likely to influence the voters at the next General Election. The present system is manifestly unfair; and if the Government think to beat down Scottish opinion by simply defeating this Bill without argument, they will discover to their cost that the voters in the counties lay very considerable stress upon this matter. It may be said that if the landlord pays half the rates he is entitled to half the representation. The answer is that the landlord does not pay half the rates. He purchases the property with the burden upon it, and in paying the rates he is only paying that burden which he has taken into consideration when he fixes the price he gives for the property. The rate is really a tax upon industry. It is a mistake to suppose that only ratepayers have an interest in this question. What of those who do not pay poor rates? Is not that rate levied in order to give relief to those who are indigent? Have they no interest in the question of its administration? They have a substantial interest in the just and fair management of Parochial Boards, and ought not to be excluded from their just influence upon the elections. They may be few in number and not able to materially affect the general result; but, still, they ought to have their rights. I hope that hon. Members from Scotland will vote in favour of the principle of the Bill, which is in accordance with modern ideas and with those Liberal principles which predominate throughout Scotland.

*(3.8.) Mr. SOMERVELL (Ayr, &c.): When hon. Members for Scotland who sit on the opposite side of the House discuss a Scottish measure they usually favour us with peculiarly Scottish opinions; they take the opportunity to instil upon our minds the fact that they alone are imbued with Scotch Liberal principles, and that they alone represent the people of Scotland. They are, too, always holding out terrible threats against the Government of the day as to what will happen if it does not follow the sound advice which they tender. But much of what has been said to-day is altogether beside the question we are now discussing. There are two points raised by the Bill, and in introducing his

measure the hon. Member for the College Division of Glasgow laboured considerably over the first—as to whether the present system of electing Parochial Boards should be continued. I am not going to occupy the time of the House in defending that system. I am of opinion it should be altered, and the sooner the better; but I cannot join in the wholesale condemnation that system has met with. The present constitution of the Parochial Boards is somewhat intricate, and not altogether devoid of the popular element. Objection has been taken to Provosts and Magistrates being members of the Board; but it seems to be forgotten that these gentlemen are elected by a popular vote; and if the Boards were elected by the proposed suffrage, it is probable that in many places these gentlemen would come in at the head of the poll. It is now on record thanks to the speech of the hon. Member for the Montrose Burghs, that the average number of owners of the annual value of £20 and upwards in Scotch parishes is 400; and it cannot be said that a Board consisting of 400 members would be wholly unrepresentative. The question is whether the Board proposed by the Bill is the best that can be suggested in the circumstances. Last night I gave as my reason for voting against a Bill my objection to its title. If I had merely looked at the title of this Bill I could have given it my most cordial support; but on looking through the Bill I find in every clause something to object to which is incapable apparently of being altered in Committee. The hon. Member for the St. Rollox Division objects to any consideration being given to this question who pays the rates. He thinks that while the rates are divided equally between owners and occupiers it is a very wrong thing that owners should be considered at all in the constitution of a Board which is largely responsible for the administration of the rates. The hon. Member was, I believe, in this House when the Scotch Local Government Bill was passed. That measure met with his unqualified approval, and in it he will find express recognition of the principle that due consideration must be given to the incidence of taxation. Yet now he says that property ought not to be considered at all, although it pays half the rates.

MR. CALDWELL: Perhaps I had better explain that I opposed those particular clauses in the Local Government Bill, and am, therefore, not to be held responsible for their adoption.

*MR. SOMERVELL: I was not aware of that, and therefore withdraw the expression unqualifiedly. Still we have the fact that the majority of the House thought those clauses fair and proper. If the owner bought his property at a lower price because of the burden of rates upon it surely the occupier stands in the same position, and in deciding what rent he is willing to pay takes into account the amount of rates; therefore, if the argument of the hon. Member is good for anything at all, it applies with equal force to both owner and occupier. Whatever the opinions of the hon. Member for the St. Rollox Division may be, we all know that the principle obtains in this House that taxation and representation should go together. Yet it is entirely ignored in the present Bill, and, therefore, I am unable to support it. There is another important point which ought to be borne in mind. It may be that in some of the parishes which elect the Parochial Board there is a populous place by reason of some special industry being carried on in it. If this Bill were carried it would be possible for that portion simply to swamp the agricultural interest, which pays the larger share of the rates. Reference has been made to the School Board franchise, but hon. Members have failed to point out that in that franchise there is a cumulative vote which secures minorities a chance of representation. No such safeguard is included in this Bill. Again, as it is proposed that one-third of the members shall retire every year, the majority might, by the exercise of brute force, so arrange things as to deprive the minority of any representation whatever. I have always been opposed to a system which would permit such a state of things, and it is because I fail to see the slightest appearance of fair play in this measure that I oppose it. I think it has only been brought in in view of a General Election. I am willing to support any measure which embodies the principle that taxation and representation should go fairly together; but this Bill violates that principle, and, further, I think it would be a mistake to tinker with the constitution of the Parochial Boards unless we are prepared to constitute a body to which may ultimately be transferred all the functions hitherto conducted within parochial limits.

(3.22.) MR. D. CRAWFORD (Lanark, N.E.): This Bill is being opposed on various grounds. The hon. Member who last spoke, if I rightly understood him, did not oppose some measure of reform in the constitution of the Board, but I could not quite gather in what direction he wished that reform to proceed. Then the hon. Member who moved the rejection of the Bill took up the position that the administration of the Poor Law was very well as at present, and he did not seem disposed to admit the necessity of any reform whatever.

MR. MARK STEWART: I beg the hon. Gentleman's pardon. I quite admitted there was need for reform.

MR. D. CRAWFORD: Well, the hon. Member at any rate did not indicate what reform he thought necessary; indeed, he was at great pains to defend the system as it stands. But I do not think that that is the position taken up by the Conservative Party. I hold that those who maintain that the law works well in its present form are assuming a Quixotic attitude. No doubt the hon. Member has exhibited much gallantry in his willingness to defend any weak system however indefensible it really is. But it is impossible to support the attitude he has taken up, and the Government are not at all likely to back him up. Accepting the Bill of the Lord Advocate in 1889 as embodying the views of the Conservative Party on this point, I think the issue between both sides is really a very narrow one, though it is not unimportant. My hon. Friend the Member for the College Division gave a very interesting and graphic history of this question. The story of the Parochial Boards in Scotland cannot be too often repeated; it is the example of an anomaly, a monstrosity, I might even

say, in the administration of the affairs of Scotland, that is singular and unique. The Lord Advocate in his Bill accepted the franchise which was recommended, not only because it was popular, but because it practically became the basis of all the representative institutions of the country. The right hon. Gentleman was prepared at the same time to sweep away official representation on the Board, yet he coupled those proposals with one which I consider to be the most reactionary I have ever heard made in the House—to erect a new description of representation franchise, to separate the owners from the occupiers, and to make them into two equal classes. It is impossible too emphatically to condemn that principle, and I trust my right hon. Friend will never again make that proposal to the House. I can readily believe great pressure was put upon him from certain quarters to induce him to make such a proposal, but I doubt whether, if he consulted the landed interest, he would find a general fear of an open franchise even for the election of a Board for the administration of parochial affairs. The issue before the House is: Is this popular franchise to be retained for the purposes of the Parochial Board, or is it for that one purpose to be excluded when it has been accepted for all the other representative institutions of the country? We hope that in the two years which have elapsed since the Lord Advocate introduced his Bill he has changed his mind. We hope to find that he is prepared to accept the principle of this Bill, and that he will base the Parochial Boards on the popular franchise by which County Councils and School Boards are elected.

*(3.30.) THE SOLICITOR GENERAL FOR SCOTLAND (Sir CHARLES PEARSON, Edinburgh and St. Andrew's Universities): A good deal of the discussion has turned on the question as to how far the present administration of the Poor Law in Scotland is or is not defensible. I am not disposed to support the proposition that the present system is not open to amendment, and I will not enter into the questions regarding the abolition of mandates, the electorate, or the constitution of the Board. Those questions may well be left open for re-consideration.

In considering this question we are at once met with the fact that the present system has not only been some time in operation, but has undoubtedly worked well in almost every particular. The hon. Member for the College Division (Dr. Cameron) has uttered some hardly veiled threats that he has a large armoury of objections to the working of the system.

*DR. CAMERON: Illustrations or instances.

*SIR C. PEARSON: Yes, illustrations of cases in which the present system has not worked well; but the test is not to be found in instances here and there, where there may have been dissatisfaction or friction. One single fact which I will mention will show that no one can fairly say that the present system has not been successful in Scotland—the fact, namely, that while since 1868 the population of Scotland has increased by something over 700,000, the pauperism has decreased by something like 40,000. I think I would be unduly courageous if I endeavoured to satisfy the craving of some hon. Gentlemen opposite for arguments against the Bill. They have over and over again complained that there has been no argument brought forward by the opponents of the Bill. I rather think the explanation of that complaint is that the argument desiderated is argument which will convince those whose minds are already made up; and I cannot hope to change them. There are, however, two main lines of objection to the Bill, either of which is sufficient to induce the House to vote against the Second Reading. The one raises large considerations of policy; the other has reference to the Bill itself, as an ill-considered measure, labouring under serious defects, and one which will not work satisfactorily in the main. I cannot call it a hastily considered measure, because we are told it has been in the minds of its promoters for eight or nine years; yet in some serious respects it is an ill-considered one. On the important point of policy,—this Bill, if passed, will bring about a change not merely in the franchises in the country, but in the Poor Law administration of the country, which is a totally different thing. The measure seems to me to contain elements of risk and danger as regards a Poor Law administration which has been built up with the utmost care through a long series of years. This may well make the House pause before giving a Second Reading to the Bill. What is the justification which the Mover of the Second Reading has pleaded in this House? I apprehend that, apart from the general consideration of the benefits of representative government in all spheres, the hon. Member's main illustration of the necessity for the change is based upon a matter which the Bill hardly touches, namely, the inequalities between various parishes in Scotland as regards the classification of assessment. The Member for East Aberdeenshire carried that further, and said that in his investigations of the administration of the Poor Law he found a totally different state of matters in each parish.

*MR. ESSLEMONT: The hon. and learned Gentleman, I am sure, does not wish to misrepresent me. I never should have thought of saying such a thing. What I said was that there are material differences.

*SIR C. PEARSON: If the hon. Member says there is no particular or specific difference, I will say no more on the point; but what I think the hon. Member really meant to say was, that apart from the differences in the constitution of Boards in burghs and country parishes there is a marked difference of classification. Well, that is a matter which is really not touched by the present Bill. Those who support the Bill may think this is a thing which will be amended by the operation of the Boards which will be called into existence by this Bill, but the question of classification depends on a Statute which this Bill does not displace, namely, the Statute of 1845; and the Board of Supervision in this matter of classification will continue to control it as before. Another serious question is raised by the illustrations given by hon. Members opposite as to the analogy which they think exists between the franchise for municipal and School Board elections and the franchise they desire to introduce for Parochial

Boards. But, again, I will remind the House that this is not in the main a question of franchise, but of the constitution of the Boards. Therefore we have to take into consideration in connection with this question the question whether there is an analogy not merely in the act of voting for the one Board and the other, but in the operations of the Boards. It is true that School Boards have power to assess, and they have Government grants; but the assessment and the Government grants are distributed on certain fixed lines, which almost exclude discretion, and which act almost automatically, as in payment by results or on average attendance. But it is different in the case of Parochial Boards. Their funds are not spent on public works or matters like education. They are spent on what are, though not legally, yet, in the larger sense, really charitable purposes, and are, therefore, open to all the difficulties and niceties which surround the distribution of relief. I need not enlarge upon those difficulties, but they are difficulties which seem to me to touch very nearly the question which has been raised as to the constitution of these Boards, and it appears to me that the references made on this point to the Government Bill of two years ago are entirely beside the question, unless we take into account—first, the constitution of the Board in view of its duties; and, secondly, the position of the question in 1889. The position two years ago was that owners, all along had, *ipso facto* as owners of a certain value, a seat on the Parochial Board. It was, therefore, reasonable for the Government Bill to say that if we are to alter that state of things, and to cut down, say, the Old Machar Board from 2,000 members to 20, it can only be done fairly by proposing, as the Government Bill did, to allow owners an equal representation in respect that they pay one-half of the rates, while the occupiers pay the other half. I dispute, therefore, the analogy between the Bill of 1889 and the present one, because it fails at the vital point—to wit, the constitution of the Board. Let me remind the House that the present system of Poor Law administration in Scotland has been built up with the utmost care for a long series of years. I deprecate any proposal to remit the matter to a totally new body, who will not regard the policy and the traditions of that administration, which are so necessary to prevent the dislocation of the whole Poor Law administration. I say so advisedly, and I can point to the absence of any reasonable objection during this discussion to the present system so far as actual administration is concerned. I would add that it is in the highest degree not only unfair, but dangerous, to put the administration of the Poor Fund into the hands of the class who are nearest to the pauper class itself. That would operate unfairly to those who have to pay one-half of the assessment, and, in the second place,——

Dr. CLARK (Caithness): The system which the Solicitor General is condemning obtains at present in all the burghal parishes.

*Sir C. PEARSON: I do not quite follow the application of the hon. Gentleman's remark, and I do not think he and I can be referring to the same thing. I rather think that the history of the Poor Law, both in Scotland and England, shows that the risk to which I was about to refer is a real one, namely, that when we get so low in the scale as to give a preponderance to a certain class in the administration of the Poor Law, there is a tendency to wastefulness and to pauperisation.

Dr. CLARK: Is the hon. and learned Gentleman aware that in all the burghal parishes, and in the combination parishes of Glasgow and Edinburgh — over 1,000,000 population—they have that condition of things now that the administration is controlled only by those elected by the people?

*Sir C. PEARSON: I understand the hon. Member's point now; but I think the hon. Member forgets that the franchise is a graduated franchise, and, moreover, entirely fails to discriminate between the two matters under discussion, namely, the franchise under which the election takes place and the constitution of the Board. I have been speaking of the constitution of the Board. To come to my second point, I think the Bill is open to the observation that it has not been prepared with sufficient care. It is a remarkable fact that the Bill will operate largely as a disfranchising measure. The Barony parish in their Petition have shown that the result of the Bill will be the disfranchisement in that parish alone of £1,250,000 of annual value out of £1,750,000.

*DR. CAMERON: Precisely the same as the Lord Advocate's.

*SIR C. PEARSON: I think that is quite an unnecessary interruption. This disfranchisement of rental represents in the rating of that parish the disfranchisement of £22,000 a year of poor rates, out of £29,000 a year. The hon. Member says that the Bill of 1889 was open to the same objection, but that Bill contained provisions which by their operation removed the slur which the hon. Member's remark would throw upon it. Again, the clauses of this Bill operate towards disfranchisement in another direction. The hon. Member proposes for voting purposes to take the burgh or the county roll. In the case, therefore, of a ratepayer who has property in parishes A, B, and C, whether in a burgh or a county, the Bill will actually disfranchise him in regard to all but one.

*DR. CAMERON: The Lord Advocate's Bill.

*SIR C. PEARSON: I do not think it was so in the Lord Advocate's Bill; but I will pass from that point. So far from this Bill simplifying the electoral roll—and the hon. Member for the College Division seems to think there should be one roll, one franchise, and one area for all purposes—actually another roll will be necessary to give effect to this Bill. Then the hon. Member proposes a sort of sliding scale, according to population, to fix automatically the number of members of each Parochial Board. At present the Board of Supervision fixes the proper number according to the needs of localities, because many things have to be taken into consideration besides population. Moreover, the Bill contemplates a maximum of 100,000 of a population as determining the number on the Board; yet the Barony parish of Glasgow has a population of over 300,000. Upon the principle of representation you must have regard to the fact that a parish may largely exceed your maximum. On the grounds I have stated I think it will be obvious that the only course open to us is to support the Motion for the rejection of the Bill.

*(4.0.) SIR GEORGE TREVELYAN (Glasgow, Bridgeton): The hon. and learned Gentleman, in the beginning of his speech, seemed desirous of leaving out of sight the evils of the present system; but it is absolutely impossible for us to leave these evils out of view, for on these evils turn this Debate. Scotland has waited long enough for the redress of these evils, and it is most extraordinary proof of the vitality and tenacity of a great abuse that such an exposition as my hon. Friend the Member for College Division made of the system of parochial elections in Scotland in the year 1883 should yet have been followed by eight years during which no serious attempt has been made to correct these evils, and that now we are told by the Government that we are to wait for an indefinite time longer. Observe how indefinite the time is; for the hon. Member for Kirkcudbright (Mr. Mark Stewart), speaking with almost unnecessary courtesy, told us that he did not like to attribute motives, but he was afraid the Bill was brought forward with a view to the General Election. Why, think what that means. Suppose we have a General Election 18 months hence. After that at least two years must pass before the Government which succeeds, or the present Government, can bring in a Bill to correct these evils. So that means Scotland is to wait three and a half years for the redress of these abuses, so flagrant that they are almost incredible when they are enumerated. The hon. and learned Gentleman has brought forward objections, every one of which, with one exception, is an objection which could be removed in Committee, and this I think the hon. and learned Gentleman himself will not deny. When the hon. and learned Gentleman seriously objects to the Bill upon the Second Reading because it fixes the number of members of a Parochial Board in parishes of different sizes, a principle already laid down in our Education Act, I say that is a principle which, if he objects to it, he can alter as much as he likes by the

aid of the Government in Committee. He can hardly be serious in making this a Second Reading objection. But upon one point he goes strongly against the Bill, and grapples with it; and that point had been previously treated by my hon. Friend the Member for Roxburghshire (Mr. A. Elliot). It is not fair to say no argument has been adduced against the Bill, because on this point both my hon. Friend and the Solicitor General argued fully, though not, I think, in a satisfactory manner. The real point upon which the Debate turns between the Government view and the Bill is whether there shall be a separate franchise of owners and occupiers, or whether all members of a Parochial Board are to be elected by the great body of the people. On that point it has been argued that there is something very different between the functions of a Parochial Board and the functions of a School Board or Municipal Council. They allow that the franchise we propose is the franchise upon which these other bodies are elected; but what does my hon. Friend the Member for Roxburgh say, and what does the hon. and learned Solicitor General for Scotland say? The functions of the bodies are different, says the hon. and learned Gentleman; these Parochial Boards have to discharge delicate and important duties in relation to the distribution of parish relief; but what have these other bodies to do except to take over the Government grants and give them out in the manner laid down by Statute? But can it really be maintained that a School Board has not the power to involve the community in very serious expenditure by means of the policy it adopts. I do not mean only in the necessary form of expenditure for buildings, or the proportion of schools to population. In Glasgow the School Board had the power to settle the question whether elementary schools should be fee-paying or not. Then, when you turn to Municipal Bodies, remember the London County Council has not only the control of enormous funds, but I believe the Council has taken over the debt of its predecessor of £40,000,000. How can you say that the franchise upon which such bodies are elected is not fit for the election of a Parochial Board when it is deemed safe in relation to the administration of the municipal affairs of London, Glasgow, Edinburgh, Leeds, or Sheffield?

MR. A. ELLIOT: What I wished to put was this: that the electors under the Bill would be entirely different from the electors under the School Board or County Council elections, because a vast number would come in as electors who never saw the face of the collector at all, were never liable to the rates, or charged with the rates.

*SIR G. TREVELYAN: In the first place, I was replying to the special argument of the Solicitor General, but I quite understand the point of my hon. Friend. In towns so far from it being the case that the School Board electorate is less wide, though I allow in country districts it is, so far from it being less wide than the electorate that elects to the Municipality, it is a very much wider electorate, and no one knows that better than the Lord Advocate. What we maintain is that, as in the School Board and the Municipality, so in the Parochial Board it is not necessary to have any special representation of a class for the protection of that class. Surely if an owner is a man who takes a real interest in the affairs of a locality he will get elected to the Board; and if he is an owner in that rare position of being a Member of Parliament and has to come up to London, he must have a badly-managed popularity if he cannot get a relative, an agent, or a trusted friend elected in the district where his interest lies. Wealth rightly administered will always be able to exercise a legitimate influence in any elective body. Not only is the present system a bad one, because under it elected members are swamped by ownership votes, but its evils are aggravated in proportion as communities become more active and rich, and, presumably, more intelligent. I take the constituency the Lord Advocate represents. In Bute there is a parish called Kilbride, a comparatively small parish in which there are two elected members—or I take another parish, Kingarth, though it is not so strong a case for my purpose—in Kingarth there are 25 owners to two elected members; but in Rothesay, which we presume to be the centre of energy and thought in the district, you actually find 399 owners to seven elected members. This is not by any means the strongest case we can find. Take an instance in Invernessshire in Barra, a parish of an extremely rural description, there is one heritor to three elected members; but in the town of Inverness there are 616 heritors to 12 elected members—that is to say, the non-elected members are 50 to 1 of the elected members. Then, in Roxburghshire, in that, in most respects, delightful parish of Minto, there are four heritors and only one elected member. Then in the old town of Hawick we find seven elected members to 290 heritors, a proportion of 40 to 1, and anyone who knows the circumstances of Hawick must acknowledge that this is a preposterous proportion. Much has been said by the hon. and learned Gentleman about a Petition presented against the Bill; but I am authorised to say that the Petition was passed by the majority of one, and I think hon. Members will agree that when a body comes within such a narrow majority of voting its own dissolution, then it is time for that body to put its house in order. In these burghal parishes, though it is quite true that the great body of ratepayers vote, yet in the first place they vote under a very defective system of registration and under the plural system of voting, and, according to the extent of his property, a man has from two to six votes to his neighbour's one. And now a word to show how extremely important it is to deal with this matter quickly. It is not the case that Parochial Boards have only the function of administering to the wants of the poor. In addition to that, under the Act introduced by the right hon. Gentleman opposite, they take part in those District Councils which is the first instalment, I hope, for the whole of the United Kingdom of the right method of conducting local government. They send representative members to take part in functions which my hon. Friend behind me must allow are of the highest importance—matters relating to the public health, to the administration of roads, and other matters of great importance. Now, when we consider under what influences these Parochial Boards are, when we hear my hon. Friend the Member for Forfarshire—not a man to speak at random—declare from his experience that the practical effect of the present system is to put, subject to certain limitations, the administration of the Board funds in the hands of the parish minister; and when we consider that the best answer is that from the hon. Gentleman opposite (Mr. Mark Stewart) that Nonconformists can always rely on the kindness, sense of justice, neighbourliness of the parish minister—or words to that effect—when we find that outside the Kirk Sessions there is this extraordinary system of *ex officio* representation on these Boards, then we say to send one or two members of Parochial Boards from each parish to manage roads and administer Acts in relation to public health, is to give the merest fragment and mockery of representation to the great body of the people. I conceive that no English Member can have been present during this Debate without feeling that the system which has been described is an absolute monstrosity, and I trust our English friends will assist us to abolish it. Some of them have heard the speech of my hon. Friend; more of them have heard the answers, and they must feel that no argument of any sort or kind has been brought forward against my hon. Friend except this claim that owners should have the right of special representation. Therefore, I trust they will assist us on this occasion. A great deal has been said about the Members of the Opposition wasting time. I know of no instance of it, but here is an opportunity for the Government to save time by accepting this Bill. There is only one objection urged to the principle, and only one of any serious kind to the details, of the Bill of my hon. Friend. If the Government would allow this Bill to be read a second time they would be doing a very gracious action indeed, one that would send the Bill through the House, so far as this side is concerned, with unanimity and great celerity, and a desire to stretch every point we could to meet the Government view. If the Bill is read a second time to-day it might be taken again on either the 27th of May, the Derby Day—and I earnestly hope the House, breaking through a bad custom, may meet on that day—or the 3rd or

17th of June, and the Bill could easily pass this Session, and thereby the old scandals of the existing system could be swept away. I do not doubt that to-morrow certain newspapers will throw every sort of contumely upon this Debate, which will be characterised as dull and a mere waste of the time of the House of Commons, and other things will be said that Scotchmen care very little about. If the Government accept the Bill they will give to Scotland a satisfactory measure of Home Rule, and excellence of detail and of practice is sure to follow where a right principle has been established.

(4.24.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Repeated references have been made to the Government measure of 1889, as it related to Parochial Boards, and we have been invited from more than one quarter of the House to state how far we adhere to the spirit of the proposals made at that time. The House will remember that we then laid before the House what unquestionably was a very large and extensive measure of local government. It was thought well by the Government that there should not be exempted from that general overhaul of local institutions the Parochial Boards of Scotland, and in that view, and more especially as, in the Local Government Bill as presented to the House there was direct connection established between the Parochial Boards and district administration, it was considered necessary to present the views of the Government as to Parochial Boards. I should be the last to underrate the anomalies of the existing system of election to Parochial Boards, and the Government in no way recede from the views which they formerly expressed on that subject, nor would they refrain, did any favourable occasion present itself, from taking advantage of the opportunity of carrying their views into effect. We have heard the word "abuses" used several times; and if this means that the present system presents many anomalies and complications susceptible of improvement in many particulars, then I assent to the use of the word "abuses," though I regard the use of the word "anomalies" a more appropriate. I deny, however, that there are any abuses in the system as far as the relief of the poor is concerned. The Government are entirely with those who desire to put the Parochial Boards upon a more rational and sensible footing as regards their mode of election, whilst they desire to preserve the same spirit of administration that has characterised them during the last 45 years. The Government desire that the representation of both owners and ratepayers should be simplified, and in presenting in 1889 a proposal that the Boards should be constituted half by owners and half by occupiers, we thought that we were presenting an instrument or engine for the administration of poor relief, equitable and free from the anomalies that may render the Boards unpopular. But I turn to the proposal now before the House; and in reference to what has just been said by the right hon. Baronet (Sir G. Trevelyan), I feel bound to point out that it is not legitimate for a Government to do even gracious acts at the expense of the vast social interests concerned in Poor Law administration. I can assure the right hon. Gentleman that he will hear nothing from me tending to minimise the importance of this question, which concerns so deeply the social life of Scotland. My objection to the Bill is that its essence and pith is to entrust to a popularly-elected body, the majority of whose constituents are the poor, the administration of Poor Law relief. That is a novel and dangerous experiment, and contains the germ of evils from which the country is at present free, and may lead to a lax administration of the Poor Law. The speech of the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) was not exempt from a fault which has vitiated many of the arguments in support of the Bill. We have heard much of the defects of the present system, but what was missing from the speech of the right hon. Baronet as from preceding speeches was any perception of the subject-matter of the administration which is entrusted to the Parochial Boards differing in essential details from the functions of other bodies. It has been said that, after all, this is merely a question of rating, and that the Government ought not to be too diffident in trusting a body which, to a large extent, will represent occupiers. Sir, let us open our eyes to facts which are not of so remote occurrence as to render them inapplicable at the present time. It is said on the other side that this has been a bad system of Poor Law administration, and that you would get a better one if you had popularly-elected Boards. There have been systems of Poor Law relief which have succeeded, and some which have failed, and I ask can you say that the evils of the systems which have failed are not more likely to recur if you have popularly-elected bodies than if you have Boards constituted of more firm material ? What are the functions these Boards have to discharge ? Parochial Boards have to consider such questions as this—Shall A B receive relief, A B's case involving similar action in many other instances; or shall C D have the offer of the House, as it is called, or receive out-door relief ? These are cases which require to be dealt with by firm Boards, and not by persons, in a small community, elected by those who are in close relation with the recipients of relief. Let me point out the proper way to consider this matter. It is not to have regard to the more prosperous and orderly parts of the country, but to have regard to those parts where there is or may be distress. In these cases, if you have a popularly-elected body, are you not running a very great risk of popularity being obtained by immorality in the administration of relief, more especially when poverty is at the door of a considerable number of the electors ? I am not speaking with the smallest disrespect of those who would elect or those who would be elected. Fortunately, it would be the more amiable weaknesses of human nature that would influence Guardians in giving way to popular feeling in relieving distress, whereas the general interests of the country and the interests of industry and prosperity require that the Poor Law shall be firmly and not laxly administered. I do not think the evils which at one time existed in connection with the parochial system would necessarily be repeated under the Bill before the House ; but I appeal to the House to consider whether it is not a subject of the most delicate description — whether for a Government to do a gracious act upon matters involving such consequences would not be the height of political folly, and whether it is not better for the House to adopt an attitude firm and cautious upon this most grave and serious subject? I think anyone who has heard the whole of this Debate, and looks back on it, will see that I have touched on topics that have not been grappled with by hon. Gentlemen opposite. We have heard a great deal about admitting everybody to vote upon every subject, and of assimilating the administration of the Poor Law to the administration of the Education Act, but we have not had the smallest contribution to the discussion in the way of discriminating between the subject-matter of administration as regards Parochial Boards and as regards these other bodies. It is said we need not be afraid of the ratepayers' representatives wasting the ratepayers' money. I say you are quite safe in this sense: that if there be a little extravagance in the way of adopting pretty extensive schemes under the School Boards or Municipalities, it is all to the good—the money is there; but if, on the other hand, you are extravagant in the matter of poor relief, and spend money in a manner that has a demoralising effect upon the poor in rendering them disinclined to seek employment or to shift for themselves, the money is not there ; it is lost to those who have contributed it, and you have done evil instead of good to those who receive it. I hope the House will pardon me for regarding this aspect of the question as one which deserves its primary attention and consideration. The House has not realised the fact that in Scotland there is no precedent for an election upon any such footing as that laid down in the Bill. We have as an ingredient of the Parochial Boards elected members, but they are elected on an *ad valorem* scale.

*DR. CAMERON : No—cumulative—graduated.

MR. J. P. B. ROBERTSON : The hon. Gentleman's phraseology may be more correct than mine; but when I say *ad valorem*, I mean that when a man pays £50 for rent he has so many votes, and when he pays £100 he has so many more. I should have, therefore, thought that the phrase *ad valorem* more correctly described the system than cumulative.

*Dr. CAMERON: The man who pays £5,000 has the same number of votes as the man who pays £500.

Mr. J. P. B. ROBERTSON: Yes, but the number of votes admitted under the smaller amounts are so large as to put altogether out of question any distinction there may be between the gentleman who pays £5,000 and the gentleman who pays £500. The hon. Member's interruption assures me that in the hurry of arguing this matter out he has not had present to his mind facts which he ought to have taken note of in giving comprehensive consideration to this question of the administration of the Poor Law. We have to face a state of society where, while there are many Parochial Boards to which it would not much matter who were or who were not elected, there are many districts where a very different state of feeling would prevail, and the question would be viewed with widely different eyes. You must ask yourselves whether you are going to set up a safe or unsafe system of relief. In maintaining the view which I have stated, the House will not be surprised to hear that the Government must support the Amendment. The position I take is not one of receding from the proposals of the Bill of 1889. It is not one of indiscriminate or general admiration of the existing system. It does not involve the giving up of any hope of being able to rectify the anomalies which characterise that system, but it represents our definite resistance to a system which presents the possibility of danger from which politicians ought to shrink.

(4.43.) Dr. CLARK: If we have been unable to meet the case of the right hon. and learned Gentleman, it is because until now we have not heard anything against the principle of the Bill, and also because the hon. Member for the College Division of Glasgow has adopted the principles of a Bill for which the right hon. and learned Gentleman is himself responsible. It is doubtful whether the Solicitor General for Scotland and the Lord Advocate agree, because the bulk of the arguments and most of the speech of the former were dead against the principle of the Bill introduced by his hon. Colleague. We seem to have the Government on this occasion speaking with a divided voice, the Solicitor General for Scotland declining to go on the revolutionary lines marked out by the Lord Advocate. I have frequently thought that the right hon. and learned Gentleman is revolutionary when he attempts reforms; and the Government now see that that is so, and that they are being led in Scotch matters by a gentleman of a revolutionary turn of mind, though the Conservative element is coming out to counteract his views. I will now reply to the two arguments which have been used against the principle of the Bill. Just now we have in the burghal parishes and in the two great combinations of Edinburgh and Glasgow no members on the Boards representing the heritors. The Boards are composed of members elected by the people, with one or two representatives of the Kirk Session and one or two representatives of the Magistrates, and one or two representatives of the Barony. Then there are four members of the Commissioners of Supply. Taking the case of the Barony, it is constituted of 21 elected members, four members of the Kirk Session, and five of the Commissioners of Supply. These members of the Kirk Session and Commissioners of Supply are entirely overwhelmed by the elective members. In the whole of the combinations of Edinburgh and Glasgow there are no representatives either of the Kirk Session or Commissioners of Supply. I cannot concede the point made by the Solicitor General for Scotland that you would be reducing the number of the elected members on the Barony Parochial Board by this Bill. You would reduce the total number from 29 to 24, but you would increase the number of elected members from 21 to 24. In from one-quarter to one-third of the entire population of Scotland you have now got Parochial Boards dominated and controlled by popularly-elected members, property, as such, having no representation at all on them. If a Bill on the lines suggested by the Solicitor General for Scotland or the Lord Advocate is brought in and carried, it will replace on these Boards men who are elected by the people, by men who represent nobody but themselves. But the *ad valorem* vote exists there. Let us look at that *ad valorem* vote. It is true that owners have a right to vote for the men elected in the parish, and that they have up to six votes. But if you take that vote it is not 10 per cent. of the other, so that so far as 90 per cent. is concerned you have the great principle to which you object of popular representation. If you give the representation to property you at once open the door to extravagance, for, in order to be popular, men would be liberal—they would compete with one another. Twenty-four or 25 years ago I was member of the Parochial Board of Govan, which is now in the combination. At that time we had several thousands of heritors, and about 30 were elected by the people. Where a system of that kind prevails the Board performs no function at all. It only has two half-yearly meetings, and all the work is done by an elected Committee. Having adopted the system of popular control has there been any change? Do the men now elected profess liberality, and have you any increase of the rates? No; and any argument to the contrary cannot be supported by facts. In the town districts you have popular control, and in the country districts you have control by the heritors, and I maintain that the latter system is working badly. In a place in Ayrshire you have 2,164 heritors who do not pay half the rate on the Board as against 20 elected members. Of course the Board cannot itself work, and has to carry on its functions by means of a Committee. That Committee is composed of 34 heritors and six ratepayers. They think very little of the Kirk Session there, and do not put one representative of it on the Committee. In Ayr there are 428 heritors on the Board and 12 members elected by the ratepayers, and the Committee is composed of 17 heritors, 6 ratepayers, and 1 member of the Kirk Session. In my own parish of Kilmarnock there are 603 heritors on the Board, 18 elected members, and six members of the Kirk Session; and the Committee is composed of 22 heritors, 12 elected members, and two members of the Kirk Session. That, I maintain, is altogether unfair, the ratepayers having nothing like the representation they ought to have. Another point is that, in altering the law, something should be done to put an end to a system which is not very creditable to the Church of Scotland. The Church of Scotland, as compared with the Church of England, is pure in the sense that she has no useless offices, no sinecures. The ministers of the Church have to work hard for their money, and none of them are overpaid. The Kirk Sessions have the right to put a certain number of members on the Parochial Boards, because the kirk door collections are for Poor Law purposes, though they do not go exclusively for those purposes now. About £39,000 is collected at the kirk doors; but of this only £16,000 goes to Poor Law purposes, the remainder being illegally spent for other purposes. The Church really steals that money from the poor, though I do not say that the money collected by the Church ought not to be spent for Church purposes. In this matter some churches are, legally speaking, honest, and others are not, though there is no one to see that the latter class do not misappropriate the money. The Member for the Ayr Burghs is an advocate of the doctrine that taxation and representation should go together; but he is going to oppose the Bill, though he is in favour of that reform. He thinks that the two do not go together under the Bill. As a matter of fact, he is fighting for the *ad valorem* vote. Is that a system hon. Members would like to apply to the representation in this House on the plea that a large amount of money is spent by us? Certainly not. You do not disfranchise the heritors in the case of the House of

Commons. They still have their votes, and, under this Bill, the same principle would be applied to the Parochial Boards who spend a comparatively small amount of money. On the whole, I think the present condition of things in regard to the Parochial Boards is unsatisfactory. Evidently the Government are unable to suggest any remedy, and are inclined to let the present system go on until they are replaced by some other Government, who will deal with a state of affairs which is admitted to be anomalous.

*(4.59.) MR. ANGUS SUTHERLAND (Sutherland): The Lord Advocate stated that there had been no attempt made by any hon. Member on this side of the House to grapple with the essential difference between the business which has to be transacted by the Parochial Boards and the business which has to be transacted by other Boards. He said that if the Bill passed it would lead to bidding for popularity in the poorer parishes, and would bring about an increase of the rates. But everything depends on what the right hon. Gentleman supposes the Parochial Boards exist for. If they exist for keeping down the rates, I could understand the argument; but the matter can be looked at in another light. Is the right hon. Gentleman prepared to say that there is no bidding for popularity the other way?—that gentleman would come forward asking to be returned in order that they may keep down the rates? And do not the same arguments apply in the case of School Board elections? Do not gentlemen come forward to solicit the support of the ratepayers, saying that, if elected, they will keep down the rates. The Solicitor General has said that the claim for the special representation of property holders on the present Parochial Boards is dependent on the fact that before 1845 they alone were entitled to sit on the Parochial Boards, but the right hon. Gentleman forgot to say that before 1845 there was no rate at all for the maintenance of the poor; consequently, if they alone had the power of administering parochial relief at that time, they alone paid for it. But, subsequently to 1845, it was found necessary that something further should be done, and the rate hitherto levied on property holders only was extended to the general ratepayers, with the result that the only return they got was the miserable fragment of representation they now enjoy. It has been said that taxation and representation should go together. To that there can be no objection, and I ask why is it that the Government do not carry out that principle now that they have so good an opportunity? They have already, by a proposal presented to this House, asserted that the property owners are entitled to half the seats on Boards because they pay half the rates, but I fail to see in what way the Bill of my hon. Friend imposes any injustice on those persons. True, he takes away their present monopoly of representation and puts them on a level with the other electors; but what injustice is done to them if they, who pay half the rates, are put on the same level as those who pay the other half. In point of fact, I have not heard a single tangible argument against the Second Reading of this Bill. Hon. Gentlemen opposite oppose it not upon its merits, but in order to support their Party. I quite agree with what has been said as to the effect the rejection of this Bill will have in Scotland. The people there are of opinion that their wishes ought to be dealt with in this House according to the views put forward by the majority of their Representatives; and if they find that those views, when thus expressed, are constantly overridden by the action of a Party majority, they will be more and more driven to the conclusion that they will never be enabled to give effect to their demands until they have obtained the control of their own affairs.

(5.5.) The House divided:—Ayes 159; Noes 185.—(Div. List, No. 68.)

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

RATING OF MACHINERY (No. 2) BILL.—(No. 18.)

SECOND READING.

Order for Second Reading read.

*(5.20.) MR. H. S. WRIGHT (Nottingham, S.): I rise to move the Second Reading of this Bill, and I regret that a measure so important to the industries of this country has been reached at so late an hour. The subject of this Bill was thoroughly threshed out last year, when the Second Reading of a somewhat similar Bill was moved by the hon. Member for Cirencester. A whole Wednesday afternoon was devoted to it, and its Second Reading was carried by an overwhelming majority namely, 152, the figures having been 239 for and 87 against), and this rather in spite of the opposition of the Government. But now, instead of having the opposition of the Government, I believe they are favourable to the measure, and are convinced that the law requires to be amended and defined, in order to put an end to the state of chaos and confusion that now exist. The present Bill differs from the previous one essentially in that, instead of defining what machinery should be rated, it defines what should not be rated, thereby leaving everything as it is save the defined exceptions contained in the present Bill. The course now pursued was suggested by the Attorney General, and I believe it has received the most favourable consideration of the Government. The object of the present Bill is not to exempt that class of machinery from rating which has hitherto been rated, but to prevent the threatened rating of what has not been rated in past years, and the rating of which would most seriously handicap English manufacturers in their competition with foreigners, especially with regard to textile fabrics. We want to make the law the same as it is in Scotland, where the system works very well. We want to draw a distinction between machinery, as it is commonly understood, and machines which are movable, the former being such as would be included in a mortgage of the premises, whilst the latter would pass by a bill of sale. Moreover, I should here like to point out that often in a lace manufactory a machine which is to-day worth £500 is perhaps not worth £100 a short time after, because of the introduction of some newer pattern. If the Bill does not sufficiently carry out the object I have described, we are quite willing to accept such Amendments in Committee as may make it more perfect. In fact, there is one part of the definition —that relating to special construction and adaptation of premises—which we think decidedly should be altered or omitted, as being ambiguous, and likely to lead to litigation, and we are already prepared with several suggestions to remedy this. I would point out to agricultural Members that their hostility to this measure might result in their having to pay rates in respect of the farming implements necessary to their industry, just as are the machines of lace manufacturers in our northern towns. Property owners who oppose this Bill, with the view of lightening the rates on their houses, should remember that a rate imposed on machinery to the injury or destruction of trade will eventually result, by the movement of population, in their property being rendered almost valueless. This Bill is only in protection of industries. If you want to rate personal property, let us have it all round. Begin at the right end—Consols, Debenture Stock, pictures, billiard tables, perambulators. Do not rate the tools of the blacksmith and the carpenter, because you might just as well do that as rate this class of machinery. If you do allow such rating to take effect you will earn the eternal gratitude of foreigners and anything but the gratitude of English manufacturers and the thousands of men, women, and girls they employ. I beg to move the Second Reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

(5.28.) MR. W. H. JAMES (Gateshead): Sir, I can hardly congratulate my hon. Friend on the circumstances in which he has moved the Second Reading of this Bill, there being hardly time to touch even the fringe of a subject of great importance, involving as it does many complications of a legal and controversial character. The measure is essentially in the interests of English manufacturers, as could be amply proved were there time. It is an invidious thing to talk out a measure; but considering the range of the subject and the desirability of having all views expressed upon it, including those of the Government, I beg to move the adjournment of the Debate.

*(5.29.) MR. T. H. BOLTON (St. Pancras, N.): Sir, as we have not had an opportunity of giving that consideration to the Bill which it calls for, I beg to second the Motion.

Debate adjourned till Tuesday, 7th April.

RATING OF MACHINERY BILL. (No. 16.)

Order for resuming Adjourned Debate on Question [11th February], "That the Bill be now read a second time," read, and discharged.

Bill withdrawn.

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.—(No. 57.)

Order read, for resuming Adjourned Debate on Question [18th February], "That the Bill be now read a second time."

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

PARLIAMENTARY ELECTIONS BILL. (No. 92.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MUSEUMS AND GYMNASIUMS BILL. (No 159.)

Order read for consideration of Bill in Committee.

MR. SEXTON (Belfast, W.): I beg to ask the hon. Gentleman in charge of the

Bill if he objects to my Amendment extending its operation to Ireland?

*MR. F. S. POWELL (Wigan): No, Sir.

MR. BUCHANAN (Edinburgh, W.): I have not had an opportunity of reading the Bill. Will the Lord Advocate say if it is desirable to extend it to Scotland?

MR. J. P. B. ROBERTSON: I will consider that before Report.

Bill considered in Committee, and reported; as amended, to be considered upon Thursday, 5th March.

PARLIAMENTARY VOTERS' QUALIFICATION BILL.—(No. 97.)

Order for Second Reading read, and discharged.

Bill withdrawn.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 17.)

Considered in Committee, and reported; as amended, to be considered upon Monday next.

VOTERS' SUCCESSIVE OCCUPATION BILL.—(No. 169.)

Order for Second Reading upon Monday next read, and discharged.

Bill withdrawn.

OCCUPIERS AND LODGERS (METROPOLIS) BILL.—(No. 170.)

Order for Second Reading upon Monday next read, and discharged.

Bill withdrawn.

PARLIAMENTARY VOTERS' REGISTRATION BILL.—(No. 24.)

Order for Second Reading upon Wednesday, 10th June read, and discharged.

Bill withdrawn.

PUBLIC PETITIONS COMMITTEE.

Fifth Report brought up, and read; to lie upon the Table, and to be printed.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 26th February, 1891.

COPYRIGHT BILL [H.L.]

Petition that the Bill may be referred to a Select Committee, and to be heard by counsel against; of the Stationers' Company; read, and ordered to lie on the Table.

TITHE RENT-CHARGE RECOVERY BILL (No. 38).

COMMITTEE.

Order of the Day for going into Committee, read.

***LORD BRABOURNE**: My Lords, before the House resolves itself into Committee, I should like to ask a question of the Government, if they are able to answer it in the absence of the Prime Minister. There was a little conversation which went on across the Table between the Prime Minister and the Front Opposition Bench, during the discussion of this Bill on the last occasion, one of those conversations which are inaudible to many of the Members of the House, but which are not without importance. I understood the noble Marquess at the head of the Government to say that he intended that important Amendments should be discussed in your Lordships' Committee in full House, and that all other Amendments should be left to the Grand Committee to which this Bill is to be sent. I want to know what position we are in with regard to this Bill. Is there any definite line by which we may know whether an Amendment is important enough to be discussed in Committee of the whole House, or whether it is to be referred to the Grand Committee? I want to know whether the labours of the Grand Committee are to be restricted in any way. I do not think we ought to go on in a slipshod manner, not knowing whether we are to be debarred from discussing here anything that may be important, or whether the discussions are to take place upstairs. A great deal of valuable time will be wasted if we have to go into the matter again when the Bill comes back.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): As I understood the noble Marquess, what the noble Marquess meant—and I speak from recollection of what I heard, because I was no party to the conversation—was this: that the House itself would decide whether it would or would not take certain Amendments, and whether it would be advisable to go on discussing them here, but that certain Amendments which are more matters of draft and detail than of principle might very well be left for more careful consideration in the Grand Committee. As I understood, the point will be determined by the House itself, as it arises upon the various Amendments by the selection of the House.

LORD HERSCHELL: I also quite understood it as the noble Lord has said. There was no limit intended or laid down as to what may be done in Committee of the whole House. Of course, when the Committee of the whole House has dealt with the clauses of the Bill the idea is that they may receive in greater detail more careful supervision subsequently. Of course, the Committee would not be limited in any way, as I understand, in going into the matter. It must be dealt with in Committee of the whole House, because, if not, the only result would be that the Bill would come back on Report from the Grand Committee, and the whole of its work might have to be done again.

(In the Committee.)

Clause 1.

***LORD BRAMWELL**: My Lords, I do not know what description of Amendments your Lordships will deal with in this Committee, but certainly I should at some time or other like to have an opportunity of striking out what appears to me to be an erroneous and mischievous part of Clause 1 in the 1st section. I mean that which says that, notwithstanding any contract, the tithe rent-charge, as defined by this Act, issuing out of any lands, shall be payable by the owners of the lands, notwithstanding any contract to the contrary between the owner and the occupier. The words which I object to are, "Notwithstanding any contract to the contrary between him and the occupier of such lands." No contract to the contrary between the owner and the occupier of such lands could in the least degree affect the rights of the tithe owner, and I think the suggestion that this clause makes that it could is a mischievous one, and that those words should therefore be omitted. Whether the House would think this is a case for having attention called to the matter here, or whether it should be done in the Grand Committee, I do not know.

*Lord BRABOURNE: While the noble Marquess is thinking how he will answer that question I should like to point out to your Lordships that this is the beginning of the difficulty to which I referred just now. You have got here a charge which is now payable by the owner of the land, but which may be payable at present under a contract through his tenant or otherwise. The noble and learned Lord opposite has said this appears to throw doubt upon the validity of the contract between the landlord and tenant. I, not being a lawyer, am anxious to know the legal bearing of those words. The Bill provides that the tithe rent-charge shall be payable by the owner, and what I want to know is whether it is not payable by the owner now. I should desire to be informed whether I am within my legal right when I make a covenant with my tenant, as I have done with several tenants before now, that he shall take his farm at a smaller rent upon his paying the tithe rent-charge for me. Am I in my right in making this proviso: that the tenant shall at the end of the year pay to the landlord a sum equivalent to the tithe rent-charge which the landlord has paid? I want to know whether this section affects that proviso. It has been said that this measure is necessary in order to avoid friction, but how do you get rid of the friction in that way? The tenant will have to pay, and whether it is paid through his hands or mine does not much signify. If there is any friction, that friction remains. I should like the legal luminaries of your Lordships' House to give us an explanation of this part of the section: whether, in the first place, the tithe rent-charge is not really payable by the owner; and, secondly, whether this section will have the effect of making the owner pay it directly with his own hand? Will it not be perfectly competent for me to make an arrangement with my tenant of this kind: "You shall send me a cheque for the rent, and I will send on a cheque to the clergyman?" It does not signify in the least whose cheque is sent. This, my Lords, is only a sample of the enormous difficulty you will have to surmount in dealing with this question and in attempting by legislation to correct a system which has grown up naturally.

*Lord BASING: There is a question arising anterior to this, which seems to me to require explanation, and that is: who is the owner of the lands when they have been let for building purposes; whether, after land is built upon, it can be covered by one and the same definition? How would it operate in the event of the land being sub-divided for building purposes, as it is in many cases in regard to lands throughout the Kingdom, and especially round London? Most of this building has taken place since the passing of the Tithe Commutation Act, and I therefore apprehend it is hardly the intention that "owner" shall be taken in reference to the Tithe Act of 1836.

Lord HERSCHELL: With reference to the point which has been made by my noble and learned Friend, there is no doubt an inaccuracy of language used in regard to this question of the payment of the tithes, but it is absolutely sanctioned by the expressions used in the Act of 1836. It speaks of the tenant being bound to pay the tithe. Now, strictly speaking, the tenant is not bound to pay the tithe except in the sense that the land may be distrained upon. But I would suggest this, whether it might not be better to alter the 1st sub-section in this way: that the

> "Tithe rent-charge as defined by this Act issuing out of any lands shall be recoverable only in manner provided by this Act."

The 2nd section deals, to a certain extent, with the words "Notwithstanding any contract to the contrary," because it provides what is to be done in that case, and we might avoid all ambiguity by using a general expression of that sort, which I apprehend is what is intended. I would suggest that it might be better to alter the 1st sub-section by making it declare that the tithe should be recoverable only "in the manner provided by this Act."

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I do not know whether, as this is rather a drafting Amendment, it would not be better to reserve it for the consideration of the Standing Committee.

LORD HERSCHELL: I think so.

THE MARQUESS OF SALISBURY: I quite concur in the view that the noble and learned Lord takes, that that will be the most satisfactory way of dealing with the sub-section, which, as it stands, is scarcely sense. The words, "to the contrary," ought certainly to come out. Then, with regard to the definition of "owner," we took that given in the Act of 1836. That is a very wide and extensive definition. I shall be very glad to consider any alteration of it, but I do not think we shall be able to improve upon it.

*LORD BASING: The Act of 1836 certainly gives a very wide definition fo the word "owner."

*THE EARL OF KIMBERLEY: With regard to the definition of "owner," I think that will require to be most carefully considered. The definition of the word "owner" given in the Act of 1836 was for quite a different purpose. I apprehend that the Act of 1836, being an Act for dealing with the tithes, required that every person who, as owner, had any interest, large or small, in the land that was titheable, should have full opportunity of being heard before the authority dealing with the matter. Not being myself a lawyer, I must confess that I find myself totally unable to construe the half page of definition in the Act of 1836, and without in the least intending to say that that definition is not applicable to the present Bill, I think the noble Marquess will agree with me that as this measure is different, inasmuch as it places the direct burden upon the owner, it will require very careful consideration in Standing Committee to see that the definition does that which the Bill intends. I do not think it is possible to do that without further minute discussion of the clause.

*LORD GRIMTHORPE: Under the Act of 1836 it did not signify to the tithe owner who the landowner was, because he could go on the land, and it remained with the tenant to find out who was owner, which, of course, he knew. But when there are two parties both interested in baffling the tithe owner, the question becomes entirely different. It is clearly something more than definition that requires attending to now.

*THE EARL OF SELBORNE: I quite agree as to the necessity for being very careful in this matter, and I also agree that there is one purpose in view now, whereas there was another when the Act of 1836 was passed. The result of a careful study to my mind is, that the definition will not require substantial alteration, but that it will require some words of qualification to this effect: that as between landlord and tenant the landlord shall in all cases be treated as owner and not the tenant. The necessity for that, to my mind, arises chiefly out of the provisions of the Act of 1836 in reference to joint owners. Under the Act of 1836, if a lease is for more than 14 years, and the rent is not two-thirds of a rack-rent, he is made a joint owner; but it is clear, I think, that for the purpose of this Act, that ought not always to be the case.

THE MARQUESS OF SALISBURY: I think it is inconvenient to discuss the sufficiency of a definition without some Amendment being moved upon it. You do not say that the definition is bad, and I do not know how we can discuss it unless somebody will point out the faults to be corrected.

*LORD BRABOURNE: I should be glad to have an answer to my question, which is, I think, rather an important one; that is, that if the tithe is payable by the owner already, how can you enact in this section that it shall be paid by him? If it is so now, what is the use of saying it shall be so hereafter? What I understand the noble Marquess wishes to do is to make the owners pay it direct, and I think if you are going to do that you had better do it in plain language.

THE MARQUESS OF SALISBURY: I do not defend the language of this clause. I think it should be considerably modified not as a question of substance, but of drafting. Certainly I think, as the noble Lord points out, we should be reenacting here what already exists. That is a very harmless practice, though I do not know that it can be said to be a useful one. At all events, I do not understand the noble Lord who raised this discussion to move any alteration in the 1st sub-section?

*LORD BRABOURNE: Not now.

THE MARQUESS OF SALISBURY: Then in line 11, page 1, I move to leave out the words after "but" down to "he" in line 12. That is in connection with another Amendment to leave out the word "that" in line 14, and, after "tithe rent-charge," to insert the words "which such occupier has contracted to pay," so that the clause will read—

> "Such sum as the owner has properly paid on account of tithe rent-charge that the occupier has contracted to pay."

It is practically merely a drafting Amendment expressing the same thing as has been previously provided for.

Amendment agreed to.

LORD HERSCHELL: At this point I wish to call attention to the words immediately following the part of the clause which has just been dealt with in regard to cases where the occupier is liable under any contract, that

> "Every receipt given for such sum shall state expressly that the sum is paid in respect of that tithe rent-charge."

I gather that the object of those words is to earmark the payment as one which has been made on account of the tithe rent-charge, but there are two objections to those words which occur to me, assuming that intention. One is that the words are not clear, because the payment may have been undertaken by different persons in different ways. Some have thought that the receipt referred to is the receipt given by the tithe owner to the landlord, and some have supposed it is the receipt given by the landlord to the tenant. I think it will be seen on reading the words that it is by no means clear to which of those receipts this proviso applies. That is one objection to the words I have read. The other is this: that they do not provide any means for enforcing it. The clause says that every receipt shall expressly state that fact, but it does not say what is to follow if that is not done. Are we to suppose that the person who does not do it would be indictable for a misdemeanour? But there is nothing said as to what is to follow. I think it is a thing that is either meant to be enforced or not, and some provision ought to be made for that purpose, as, for instance, that "such receipt shall not be adducible in evidence" unless that is done. It is a question which I think is worth consideration, whether having regard to those two objections it is worth while keeping the provision. Some people object to its being retained, inasmuch as ear-marking the tithe rent-charge might have its disadvantages as well as its advantages.

*LORD BRAMWELL: It seemed to me to be open to the same objection, but I understood the noble Marquess that there was an objection to taking it here instead of in Grand Committee. I thought it was not to be considered there.

THE MARQUESS OF SALISBURY: Not the slightest objection.

*LORD BRABOURNE: It would be absurd to indict a man for the wording of a receipt; and if you are not going to impose a penalty of some kind, and if it is left in that way it will not be done, and the thing is not worth retaining.

THE MARQUESS OF SALISBURY: It seems that the words "tithe rent-charge" there might point to some particular land. I understand the charge is payable in respect of particular pieces of ground, and not of the whole letting; and therefore the receipt would have to show, if necessary, that the money was paid for some particular piece of ground, and not for the whole of it. That would lead to considerable confusion, and I think we had better drop the words out of the clause that

> "Every receipt given for such sum shall expressly state that the sum is paid in respect of that tithe rent-charge."

I have moved to omit those words subject to any resolution we may come to afterwards in respect of replacing them by others.

Moved, to omit after "rent-charge," in line 16, the words

> "And every receipt given for such sum shall state expressly that the sum is paid in respect of that tithe rent-charge."—(*The Marquess of Salisbury*)

Amendment agreed to.

*LORD STANLEY OF ALDERLEY: On Thursday last the noble Marquess mentioned a good many differences between the Bill which is now before the House and the Bill of last year; but I think he omitted to mention one portion which is of considerable importance, which makes the landowner liable and leaves him to recover the amount of tithe which the tenant has not paid, as tithe instead of as provided in the Bill of last year making it payable as rent. If this is retained in the Bill it will entirely neutralise the effect of the measure. It will keep alive the ill-feeling existing with regard to tithes, and will make necessary distraint for tithes. There is no explanation given why the Government should have departed from the course they took last year. I was informed by one of the noble Marquess's supporters that the reason was for the sake of novelty; but I have also been informed by one who is not a supporter of the noble Marquess that it was in consequence of a compact made in another place to remove obstruction. But, my Lords, you have nothing to do with obstruction. All you have to do with is to see that the Bill is a measure which is workable, fair, and just. As I have said, this will keep alive all the troubles with regard to tithe rent such as we have seen of late in Wales. Not only will it be an injustice to the landowners, but they will be unable in many cases to make agreements in time with their tenants. They will have paid possibly as much as four half-year's tithe, and it will be putting them to trouble and causing ill-will and making them quarrel with their tenants in order to distrain for tithes if their tenants refuse to pay. We have had an intimation in what has taken place elsewhere that this agitation is not to cease. It is also enacted that the landowners shall be subject to County Court procedure, and they will not be able to avail themselves of the County Courts for that which is a respectable debt, since the tenant has contracted to pay it. I think the noble Marquess must have been put in possession of the detailed objections from North Wales to this measure. It is possible that I see this matter from a different point of view, and that the noble Marquess is only thinking of those persons in the eastern part of the country who would, but cannot, pay their tithes; whilst many of these tithepayers who live in Wales could pay their tithes, but will not. The noble Marquess spoke the other night of the fluctuations of the tithe as being injurious to the tenants. Since 1874, or thereabouts, the fluctuation of the tithe has gone in favour of the tenant, and has been reduced from time to time until now it has come to nearly the lowest point. Though the lowering of the tithe did not, perhaps, keep pace with the lowering in the value of the produce, the tenant has now got the benefit of it. If the noble Marquess has so much sympathy with tenants why did he not abolish Schedule B at the time agriculture ceased to be so profitable. I think the Government ought to have done something when there were no longer any profits to be paid under Schedule B, by which relief should have been given to the tenants. I am afraid I must take the sense of the House on this Amendment.

Amendment moved,

In page 1, line 25, Sub-section 3, leave out all the words from the beginning of the sub-section down to ("provided") in line 27, and insert the following words ("(3.) Such sum shall be recoverable from the occupier in like manner as if it were rent in arrear."—(*Lord Stanley of Alderley.*)

*LORD HARLECH: My Lords, I quite agree with the object which the noble Lord who has just spoken has in view, but I confess I did not catch all his remarks. The object of this Bill was understood to be to put an end to the discreditable scenes which have been going on, and are going on, in Wales. But if this clause is to stand as it is it will settle nothing. The only effect will be to transfer the odium which now rests on the tithe owner to the landowner. I must say that the Government has shown considerable weakness in giving way upon this point to persons who are known to have ulterior objects in view, or they have failed to perceive what those ulterior objects were. The Amendment of the noble Lord will, I think, meet every legitimate object; but if it is too much to expect that his Amendment should be adopted, I would suggest that a provision should be inserted for dispensing with the necessity of notice of distraint being given. It appears that notice in case of distraint for tithes is necessary, where no notice is necessary in cases of distraint for rent. The only effect of notice being given in cases of unpaid tithe would be to give an opportunity for the removal of all goods and articles from the farm which might be subject to the distraint for tithe. It has been argued that it is unfair to put the tenant in a worse position than he was before; but I maintain that he would not be in a worse position than he was before, because, as this clause stands, it would be necessary for the tenant to undergo two processes of law, instead of one, if the tithe is not made recoverable with the rent. Besides that, it would prevent the landowner also from being subject to two processes when one would be sufficient. I beg to support the Amendment moved by my noble Friend.

The LORD CHANCELLOR: I cannot myself quite follow the object of enforcing upon the landlord that he must proceed by way of distress. If the noble Lord had confined his Amendment to dropping out the words, "and not otherwise," I would certainly have recommended that that Amendment should be adopted. But even if you drop out the words "and not otherwise," I am disposed to think that that should be made the only mode in which it would be recovered. If the words were added, "as well as by the process provided under this Act," that would perhaps satisfy the noble Lord. I rather concur with my noble Friend that there is no reason why an actual distress should be enforced against the landlord; but if more modes of enforcing payment are open to him, I do not see any objection to the Amendment. I think, however, that the mode in which that should be done had better be left for consideration in the Standing Committee.

LORD HERSCHELL: I do not quite understand what the mode is to which the noble and learned Lord refers.

The LORD CHANCELLOR: That he should be sued under this Act. Upon the hypothesis the tenant would owe a debt to the landlord, and why should not the landlord be at liberty to sue for it?

LORD HERSCHELL: I think that would be expressly provided for.

The LORD CHANCELLOR: Then I quite agree.

*LORD BRAMWELL: If the landlord has agreed with the tenant to pay the tithe, he is subject to an action if he does not pay it. I think if the tenants knew that, there would not be much difficulty, and I submit that it is very desirable to make an alteration in this clause. I do not know that I pity very much the man who will not pay and who will have to be distrained upon; but he will be subject to two different distresses; that is to say, to the ordinary distress for rent, and then in respect of the tithe which he has not paid. He will be subject under the Tithes Commutation Act also. That is as I read it. So that this ridiculous consequence would result: That if he owes £50 for rent, and should have paid £10 for tithe, and he has paid £20 on account to his landlord, if the landlord can attribute that to the tithe, one distress would be enough; but if he must attribute it for the rent, there would be a distress for £30 for rent and another distress for tithe. It seems to me a most unreasonable thing to allow this clause to remain as it is when once it is understood what it really means.

*The Earl of SELBORNE: I should like, in answer to what has been said by the Lord Chancellor, to observe, that I think my noble and learned Friend overlooked the words at the beginning of the sub-section, which provides that he shall cease to be liable upon that part of his contract. If he ceases to be liable upon that part of his contract an action cannot be brought upon that part of his contract, but the remedy must be only what you expressly give him by this clause, so that, if no further attention is made, the omission of the words "and not otherwise" would make no difference.

*LORD MONK BRETTON: I should like to point out another absurdity, in having different processes. In regard to distraining for rent, you can distrain for one year only, but for tithe, you can distrain for two years' arrears.

*LORD BRABOURNE: One finds that it is never wise to be too simple and confiding. The noble Lord yesterday told me that he was going to move an Amendment which was equivalent to mine; but his Amendment is exactly the reverse of mine. My idea is that to permit two distresses would be very wrong, as well as inconvenient, and that you should give to the landlord the same remedy as you give to a parson. He would have a remedy which the parson has not unless the whole procedure has to be in the County Court, as far as the rent-charge is concerned.

*THE EARL OF KIMBERLEY: If I understand the clause as it stands the words have been introduced for this reason: that it was contended that, you ought not to place upon the tenant any burden greater than he now bears. That was the idea. What I mean is that the tenant, in respect of the amount he at present pays for tithe, is liable only under the Tithe Acts, but now he is to be made liable in a different way; and all his property, including the goods and furniture in the farmhouse, would be liable. It is pointed out that under this Bill you should not put an additional burden upon the tenant; and that words should be introduced so that the tenant, in respect of that part of the rent which he formerly paid to the owner, should be put in the same position. But there are great difficulties in the way. I confess that I see now what I did not see before, what was the meaning of the ear-marking paragraph which has been struck out. It is quite obvious that whoever introduced that paragraph saw the difficulty which would arise if you treated the money which the tenant might pay on account of tithe as rent, because there are two different remedies; and unless you know for what the money is paid you do not know to what remedy there should be recourse. That is one difficulty, but there are a great many others, as I maintain, in it. I may say that I am not prepared myself with an Amendment now, but I think the matter is worthy a very careful consideration.

*LORD BRAMWELL: I think the noble and learned Lord (Earl Selborne) has not quite appreciated the words. It provides that the occupier shall cease to be liable under that part of his contract by which he is to pay the tithe rent-charge. He is not to be bound by that, but he is to be liable to pay to the owner such sum as the owner shall properly pay. Now, I venture to say that it is a well-known proposition of law that whenever a Statute gives a man a right, by implication he has an appropriate remedy; and if his right is to a sum of money, he can maintain an action to recover it. Therefore, I think the objection to the 3rd sub-section remains in full force.

THE MARQUESS OF SALISBURY: I think it is evident, after the discussion we have heard, that these words are subject to the pitfalls of which my noble Friend spoke on the last occasion. At a later period it will be my duty to move that the clause immediately following be struck out; and I think, on the whole, it would be the most convenient plan to strike out Sub-section 3 of this clause altogether, though probably it would be necessary to put in some other words at a later stage. I do not see my way to framing a satisfactory formula across the Table, and, therefore, I think we had better do it in that way. I move that Sub-section 3 be omitted.

*LORD STANLEY OF ALDERLEY: As I understand the noble Marquess, he has moved two things at once; that is to say, to omit Sub-section 3, the first part of which we object to, and also the concluding lines of the same clause, of which he has given notice.

THE MARQUESS OF SALISBURY: No, I have moved to omit the whole of Sub-section 3.

*LORD STANLEY OF ALDERLEY: That refers to the Amendment of Mr. Taylor, which the Government in another place thought would be reasonable. It seems to me that it would be offering a premium to tenants for dishonesty. For instance, a tenant could go out in September and take away with him all his goods, and when he was called upon to pay in January he might decline to pay, and say he was not liable; but the theory of the matter is that he is responsible for that half year's tithe. Taking the Act of 1836 that it is no longer an annual charge on produce, but on the land, still he has contracted with his landowner to pay for the three months, and yet he would escape. I object to the last part of the sub-section being struck out.

THE MARQUESS OF SALISBURY: I have only to say that I do not imagine anybody could defend the justice of the proviso as it stands. It provides that—

> "The owner of the land may at any time during the last three months of the tenancy pay any instalment of the tithe rent-charge, that such occupier would but for this Act have been liable under his contract to pay, and may,

notwithstanding such instalment not being yet due, recover the same from the occupier in manner as in this Act provided."

It seems to me a proposition which cannot be defended.

Amendment moved, to omit Sub-section 3 of Clause 1,—(*The Marquess of Salisbury*,)—agreed to.

Clause 2.

*LORD BRABOURNE: Now, my Lords, I have a very important Amendment to this clause, which I shall endeavour to explain in a few words to your Lordships. I wish, however, to amend the notice which I have given. It is to omit the words "whatever is the amount" in this proviso that the person entitled to the tithe rent-charge in arrear may apply to the County Court, and in their place to insert the words "Provided the sum exceeds £1 in amount." These are the words I propose to insert, "If the total amount due from the tithepayer in arrear exceed the amount of £1." That is to say, in broad language, I propose to exempt the small freeholders throughout the country from this burden of tithes. Of course, I know very well that the agriculturist is in a very unfortunate position just now. He has got on one side the friends of the Church, who exclaim against robbing the Church, and on the other side he has got the gentlemen who believe that tithes are national property, and who are determined that they shall not be depleted; so that, like the ancient Britons of old, the agriculturists are between the deep sea and the barbarians—I will not say which is which in this case. The effect of the Amendment I move is this: that the small freeholders throughout the country possessed of five, six, or seven acres would be exempted from the very grinding burden which at present falls upon them. Already it is very difficult for them to keep going. They are a class which has been dying out for a considerable period on account of the legislation of Parliament. They are still, however, an important class, and the strange thing is, that while their complaints are not attended to, noble Lords and noble Gentlemen go all over the country declaring that their wish is to see them prosper, and that there shall be a great multiplication of the small owners. Well, here is an opportunity of testing the sincerity of that wish in your Lordships' House. You cannot do a better thing than exempt from this payment this small struggling class. No large landowner will benefit by this legislation. It is only these small people who have got little pieces of land, with a tithe upon it of 4s. or 5s. an acre, who will benefit by it. I ask, where would the robbery be? There will be no robbery. I believe the Church will gain considerably, and when there comes the final battle, as sooner or later it will come, the Anglican Church will be all the stronger if she has got these people on her side instead of against her. I cannot help thinking that this great Church, one of the richest Churches in the world, and claiming to be the national Church of the richest nation in the world, having so much wealth belonging to her, and, with the exception of a few Catholics, counting the whole of the aristocracy and the greater part of the wealthy classes among her members, ought not to put her hand on these small people, but ought to be able to maintain her ministers without coming upon them in the way that is now done. I speak these words in the firm conviction that they are wise words. Do not let us make a mistake. There are great issues coming before the country before many years are passed; Establishments will be upon their trial; and if you wish to maintain the Established Church, you had better sweep away everything that can attach to her as a stigma. Do not let her be weighted by the stigma of putting her hand upon this small and struggling class. What would be the loss? It would only be a few shillings or pounds here and there—a very little matter indeed to the Church, but of enormous importance to these poor people. It is entirely in their interest that I make this proposal. My belief is that it will be a wise thing to do. All through this Bill there is an attempt to set the interests of the Church against the interests of the people. I am not sure at all that it is a wise thing, this putting an end to the payment by the occupier. My noble Friend smiles at that, but a little straw sometimes shows the way the wind plays, and I may mention that a farmer said to me the other day, "If this Bill passes and the occupier ceases to pay tithes we shall not have any tithe dinners, and there will no longer be any occasion on which the clergy and the people will be brought together. The only class that are affected by this provision, in my opinion, are the small people. They may not be so important a class in your Lordships' view as they are to the Members of the other House; but I may tell your Lordships that they are watching these Debates with keen anxiety, and if your Lordships will do them the kindness of exempting them from this burden they will be everlastingly grateful. I hope that the special representatives of the Church will be amongst the foremost to support this Amendment. They will, I am sure, see how advantageous to the small people this Amendment is, and I resume my seat thinking that, whatever support I may get or fail in getting, I shall at least have the enthusiastic support of the guardians of the Church.

Amendment moved, in page 2, line 9, to omit the words "whatever is the amount," and to insert the words "if the total amount due from the tithepayer in arrear exceed the amount of £1," instead thereof.—(*The Lord Brabourne.*)

Lord NORTHBOURNE: This Amendment appears to me to be contrary to all principles of taxation whatever. No doubt, for instance, the payers of the Income Tax who pay upon very small sums feel the burden very severely, but I ask your Lordships whether it would be possible upon that account to do away with all small Income Tax whatever. Is it to be supposed for a moment that because a person is a poor man he is not to pay according to his means towards the taxation of the country? I think if we were to go on the principle of the noble Lord we should be committed to a course of legislation which would be altogether absurd. With regard to this Bill, I have given my candid support to the noble Marquess upon it; because I think that the proceedings in Wales have been, as they have been very properly designated by the noble and learned Lord (Lord Bramwell), rather a disgrace to the country, and although I do believe that the tithe comes upon agriculturists in a manner and to an extent at the present moment which is very hard upon them, I think it is much better to submit to those two hardships in the matter of tithe than to do anything which would in the slightest degree risk the safety of property or lead to an inclination to tamper with the law. I do not know that I have much more to say upon this point, but I think also that some of the noble Lords who are warm supporters of this Bill, have not tried perhaps quite so much as they ought to have tried to alleviate the pressure of small burdens upon the farmers. I should like to ask the noble Marquess, for instance, whether any attempt has been made to provide for an investigation into the system of averages. There is a strong feeling among the tenant farmers of this country that they are paying their tithe upon an average which is far above what they realise for their corn. It must be well-known to your Lordships, who are most of you landowners and many of you farmers too, that the farmer very frequently uses a great quantity of low-priced corn in his own farmyard. That corn not being fit to come into the market cannot be sold at all, and its value is very small. I contend that, according to any principle of ordinary justice, this corn ought to come into the average. It does not, and the farmer is obliged to pay the tithe upon an average which is very much larger than what he actually receives. I do not know whether Her Majesty's Government can do anything in that matter. There are other matters with regard to this question of tithe average which I think your Lordships would do well to consider. I would suggest, also, that you should not consider merely the tithe owner, but the tithepayer. I know that in my own immediate neighbourhood there is a clergyman who hardly gets any tithe at all. I think the living is £300 a year, but I believe that gentleman has only realised for his total income between £30 and £40. Unquestionably that is a sad case for the clergyman. But, my Lords, it is highly desirable that in these matters we should hold a just balance between the two interests, and that we should, as far as we can, do what is just not only to the tithe owner, but also to the tithepayer.

*LORD BASING: My Lords, I think my noble and learned Friend's Amendment will require a little further amendment before it can be put to the House in order to secure the beneficent object which he has in view. Although it might be very well to excuse small holders on the ground that their payments would form but a small portion of the tithe, those insignificant portions may be very important to the owners of the rent-charge. I have received a letter from Lancashire in which a tithe owner tells me he has to collect about 190 tithe rent-charges, every one of them below 20s., and it is in reference to those cases of which I believe there are a great many that I would suggest that the word "owner" might be defined in the interest of such persons, seeing that under the operation of this Bill they might be placed in a very difficult position if they have to serve notice in every one of 190 cases in which tithe is due. The taking away from the owners these small tithe rent-charges would, in a vast number of cases, be of very great importance to them indeed.

THE EARL OF HARROWBY: My Lords, I think we ought to remember that the small owner in many cases in all probability bought his plot of land for less in the market because it was subject to the charge, it might be, of £1 per acre; and I do not see what right he has to take that £1 more than his neighbours. If you once adopt this principle that because a debt is small it ought to be remitted, I do not see where you are to stop; therefore, I do not think we should adopt the proposition of the noble Lord, though, of course, we should all be desirous to benefit small holders as far as possible.

*THE EARL OF SELBORNE: This is really a proposal to take away the property of the tithe owner when it happens to be very small in amount, and to give it to the landowner. I should have thought if the County Court was good for anything at all it would be good for the recovery of small debts. It seems to me these are cases in which the County Courts could most easily act. I am not sorry the noble Lord has raised a discussion upon the point, for this reason: that it gives me the opportunity of expressing my earnest hope that the question of the redemption, and it may be the compulsory redemption, of these small sums may be considered at an early period. The Commission over which my noble Friend Lord Basing presides will have a much larger subject to consider than this matter itself involves. I would venture to submit that if it were possible for the question of the redemption of these very small rent-charges to be taken in hand first, and made the subject of a special Report, we might hope to have early legislation upon that part (which is really a very important one) of the general question. I should not like to sit down without saying a word upon what my noble Friend (Lord Northbourne) said with regard to averages. I do not see how it is possible to go into that question now; or, if you did, that it would ever be possible to construct any system of averages which must not proceed upon the selling value of what is brought into the market, and is the subject of actual Statistical Returns. My noble Friend said that certain things were not brought into account; but a great many other things were not brought into account under the Commutation Act, particularly those things which have latterly been most profitable, the increase of cattle and live stock. I do not think it would be possible to go into that without disurbing the whole settlement.

*LORD BRABOURNE: Of course, the few words spoken by my noble Friend Lord Basing will have shown that this Amendment would have a much wider effect than I thought, and it will certainly want re-casting. I should not think, therefore, of asking the House to divide upon it as it stands; but I would make a few remarks, in reply to the noble Lord opposite (Lord Northbourne), before parting with it now. One is with regard to the small tithepayers being exempted. The practice has already been put in force with regard to small payers of Income Tax, and, therefore, this would not be a novelty. In the next place, as to relieving the small tithepayer, I would point out that the tithe owners have very greatly benefited; and my contention is, that this tithe being national property the Representatives of the nation could not do better than say that it shall be partly applied in relieving the small tithepayers. Under the circumstances, I propose to withdraw the Amendment.

*LORD GRIMTHORPE: The noble Lord has mentioned the Income Tax as having a supposed analogy to tithes; but there is this difference: the Income Tax was a new imposition by the State for public necessities, whereas tithes are not a tax, but property almost as old as any in the Kingdom.

*THE EARL OF KIMBERLEY: There is also this point, that a certain amount of the tithe is in the hands of lay owners who have paid money for them.

THE MARQUESS OF SALISBURY: I think, my Lords, it would be slaying the slain to further discuss the noble Lord's Amendment. I only rise to answer the noble and learned Lord opposite who spoke with regard to the inclusion of redemption clauses in this Bill. The objection to these clauses which were originally in the Bill is purely Parliamentary. This dealing with the question of redemption, as the Government proposes to deal with it, is exposed to very considerable difficulties, more particularly in another Assembly, where the time at their disposal is not quite equal to the work to be done. If a measure does little or nothing, it has a good chance of passing, because it is only opposed by those who want it to do more. If it does much, it likewise has a chance of passing, because the only people who oppose it are those who want it to do less. But if a Bill is a moderate measure, it is opposed by those who want it to do more and by those who want it to do little, and, therefore, the chances of its passing are less. The noble Lord denounced the Bill generally, because he said that its tendency would be to drive the occupier from the Church. I may suppose, then, that my noble Friend's definition of marriage would be that it is a relation in which one of the parties has a right to levy something on the other. That is a new definition of marriage and divorce, but I can hardly think the occupier will love the Church less because he has less to pay her.

Amendment, by leave of the Committee, withdrawn.

LORD HERSCHELL: I have to make an observation upon Sub-section 2 of Clause 2. This sub section gives to the officer the same powers of restraint under the County Court proceedings where the owner is in possession as were conferred before in respect of the tithe rent-charges. I will call the noble Marquess's attention to a matter to which my attention has been drawn. Section 84 of the Tithe Rent Act gives a greater power of distress in the case of Quakers than in the case of anybody else. As regards the rest of the world, you can only distrain on the land out of which the rent issues. In the case of Quakers, it is provided that you may distrain on the goods and chattels of such persons, whether on the premises or elsewhere, and consequently, as regards Quakers, you may distrain upon their goods anywhere in respect of tithes which are due anywhere. My attention has been called by some of the members of the body of Quakers to this fact, and I would suggest that when you are dealing with this remedy over again, you should not re-enact this provision relating to the Quakers, and which renders their position different from the rest of the world. They do not see why their goods should be liable to be distrained upon any more than the goods of the rest of the community. I only desire to call the noble Marquess's attention to the existence of that difference.

THE MARQUESS OF SALISBURY: It is very clear that a remedy ought to be applied for that, but I think we had better reserve it for the present.

*THE EARL OF SELBORNE: My Lords, I have four Amendments connected with Clause 2, and I believe that the first three will not be objected to on the part of the Government. I do not know how it may be with the last. With regard to the first, I will explain it in a few words. The most reverend Primate the Archbishop of Canterbury, on the Second Reading, said he had received many representations to the effect that in cases where the lands were practically left waste, there might still be instances in which the remedy now provided by the Tithes Act of taking possession might be valuable as leading to the cultivation of the land in one way or another. I do not think myself, that, if we had to deal only with large cases, it would very often be for the benefit of the tithe owner to avail himself of that remedy; but I can conceive that in cases of small parcels of land, it might be a remedy which would operate as a considerable inducement to the person who ought to make the payment to do so: and even in other cases, it might operate to produce payment without being put into actual operation.

Amendment moved, in page 2, line 23, insert at end of line, as a fresh sub-section—

"Provided that if such officer satisfies the Court that there is no sufficient distress on the said lands, the Court may authorise the owner of the rent-charge to sue out a writ of habere facias possessionem in accordance with section eighty-two of the Tithe Act, 1836; and the owner of the rent-charge on obtaining possession shall, in accordance with the Tithe Acts, pay the surplus (if any) after payment of the tithe rent-charge and expenses, to the owner of the land, and shall, while in possession, be under the obligation not to permit or commit any waste."—(*The Earl of Selborne.*)

THE MARQUESS OF SALISBURY: There is no doubt as to the reality of the grievance pointed out by the noble and learned Lord. The precise remedy to be afforded has been a matter of considerable discussion. There are two ways more or less imperfect of getting at the owner under those circumstances; but I think, on the whole, the one proposed by the noble and learned Lord is the one that is exposed to the least objection. I may say, in assenting to it, that I will leave the advocacy of it in his hands.

Amendment agreed to.

*THE EARL OF SELBORNE: With regard to the next Amendment, I think that needs no remark, as there will probably be no difference of opinion about it. It is to provide for the case where lands are held at one rent with other lands in a different parish; that in such cases the Court shall apportion the rent between those lands according to their rateable value. That is clearly necessary; and it is not at present provided for by the Bill.

Amendment moved, in Sub-section 3, page 2, line 28, at end of line 28, insert—

("And where any of such lands are held at one rent together with other lands in another parish, the court shall apportion the rent between the said lands and the lands in the other parish in proportion to their rateable value.")—(*The Earl of Selborne.*)

Amendment agreed to.

The Earl of Selborne

LORD HERSCHELL: I must say something on Sub-section 5, which I think needs consideration. It provides that, where the occupier of lands is liable under a contract to pay a tithe rent-charge, and is liable to pay the amount to the owner, steps are to be taken which will enable notice to be given to him. It is not any point of substance which I am desirous to raise any question about; it is only in order to carry that out—that before an order is made under this sub-section there shall be such service on the owner as may be prescribed. Now, supposing the landowner does not serve such notice on the tithe owner, there is no sanction to the contract; then the tithe rent-charge owner will, of course, have no evidence of the existence of any such contract on the part of the occupier, and that which has been done previously will have no effect; because the object here is that, where the occupier is the person liable under a contract, he shall have due notice of the proceedings, so that he may be able to raise any objection on the hearing. There is a provision that the landlord shall give that intimation to the tithe rent-charge owner, but you do not say what shall happen if he does not do it. The occupier, of course, will hear nothing about it.

THE MARQUESS OF SALISBURY: Does the noble and learned Lord propose any words to modify that?

LORD HERSCHELL: No; I only wished to call attention to it. No doubt it will be considered by the Government draftsman. I thought it might be convenient to call attention to some of these points, because it gives an opportunity to those who draft the Bill of considering how they should be dealt with.

*LORD BRAMWELL: I was going to make an observation upon that clause. I suppose it was intended as a sort of third party clause under the Judicature Act; that is to say, where a man is interested in a litigation between two other persons, and is responsible for the ultimate decision, he shall have notice and be able to interfere. I suppose that is the object of the clause; and if that is so, there should be some specific provision made for binding the occupier.

THE EARL OF CAMPERDOWN: I should like to point out to the noble Lord that his objection might be met in this way—if in Clause 1 Sub-section 2, where the occupier has been liable, and it is provided that he shall cease to be bound, and so on, words were inserted—

> "Provided that he should have received the notice he shall be liable to pay the amount to the owner;"

that is to say, notice hereinafter referred to.

*THE EARL OF SELBORNE: I have to propose another Amendment at the end of Sub-section 6. The Bill is framed in a peculiar manner in one respect. It does not fix a particular time for the Act coming into operation, otherwise than by saying in the 7th section that it shall extend to every sum on account of tithe rent-charge, which first becomes payable on or after the half-yearly day of payment of such tithe rent-charge which occurs next after the passing of the Act. Therefore the Act cannot operate upon any tithe rent-charge within a shorter period than three months, because the tithe rent-charge must be under the previous provision in arrear for three months; but, as far as appears, the Act may come into operation at or about the end of three months from the time of its passing. Now, the Act cannot possibly be brought into operation at any time until those matters are provided for which are attempted to be provided for by the Amendment which I now move. The 6th sub-section says that Rules of Court may be made on certain subjects, with the most pressing of which this Amendment deals. As the Bill stands, those rules will be made, like all other rules affecting County Courts, by a certain Committee of County Court Judges, who act for that purpose, subject to the approval of the Lord Chancellor. I have great doubt whether it may not be desirable, though I have not proposed it at present, on account of the peculiarity and importance of this subject, that the rules should be made by the Lord Chancellor himself in a different way, with whatever assistance may be necessary. But, however they may be made, there is nothing in the Bill to cause their being made at all before the time at which the Act may come into operation: and, until they are made, it is necessary to provide for those points which are mentioned in my Amendment. All that Amendment does is, to give power to the Court in the meantime to do what in that state of things would be absolutely indispensable for the working of the Act. I propose to add words, as stated in my notice, which will enable the Court in such cases to proceed upon an application against an owner not named, and in such cases, and also in the cases of owners who are abroad, or whose place of residence is unknown, or who for any reason cannot be served in the ordinary manner, to direct what service shall be considered good service for the purpose of the Act. It has been suggested that no doubt rules will be made within the three months after which the Act may come into operation. I hope they may. I presume that there would be a sincere desire to make and publish them as soon as possible. But the rules will not be confined to these particular indispensable matters, they will extend also to other matters which will require a good deal of consideration and a good deal of deliberation; and if they are to be made by the County Court Rule Committee the members of that Committee are gentlemen whose ordinary duties may make it sometimes difficult for them to assemble, and they must afterwards be carefully considered by the Lord Chancellor. I think, therefore, that looking at the consequence of bringing the Act into operation before such rules are made, some security ought to be taken against the contingency which may happen of the rules not being made within the necessary time. I cannot conceive any objection to my proposal beyond this: that if the rules are made it will not be necessary; if so no harm will be done; but if they are not made it is a point which really requires to be provided for.

Amendment moved,

> In sub-section (6), page 3, line 11, add at the end of the sub section ("In the meantime, and subject to such rules when made, the court may, in any such case as aforesaid, receive and proceed upon an application against an owner not named, and may, in every such case, and also in the case of an owner who is abroad, or whose place of residence is unknown, or who for any other reason cannot be served in the

ordinary manner, direct what service shall be good service for the purposes of this Act.") —(*The Earl of Selborne.*)

*Earl STANHOPE: I trust this Amendment will be accepted by Her Majesty's Government, because, by a subsequent clause every Rule of Court made for the purpose of this Act is to be laid before Parliament within 40 days next after it is made, and thus a great deal of time is wasted. I quite see that what with the Easter Recess and other causes (though I sincerely hope the Act will come into operation at an early date), such a proposition as the noble and learned Earl proposes is necessary. A great deal of consideration will be required, and I suppose the Lord Chancellor will probably frame such rules as are necessary. They will be considered by the County Court Judges throughout the Kingdom. Many matters will have to be considered, and, taking all these objections into consideration, I trust some sort of provisional arrangement may be accepted by your Lordships which may bring this Bill into earlier operation than would otherwise be the case.

The LORD CHANCELLOR: I think what the noble Earl says is perfectly true. I do not deny that some provision is desirable; at the same time, I would suggest to him that I think a wider provision than this might be made, and I should be willing to undertake, on the part of the Government, to bring forward in Grand Committee something in substitution for it. I doubt very much whether this rule-making power is completely workable. There must be some alteration in that rule-making power, but how that may best be done is a matter for consideration afterwards. My noble and learned Friend is in error in supposing that all the County Court Judges in the Kingdom have to concur, It is only a Committee of five who have to concur in the rule. But what struck me about it is, that the language of the noble Earl's Amendment says that the Court may in any of those cases proceed on the application, and so on. That means the County Courts generally, and would apply to any one of the County Courts in the Kingdom. It might be extremely inconvenient, and might give rise to unpleasant consequences, particularly in Wales, and I think the Amendment might be open, therefore, to exception. However, I will undertake, on the part of the Government, to bring forward something on the point in Grand Committee. I should prefer to lay the proposals of the Government on the subject before the Grand Committee. I hope, therefore, the noble and learned Lord will not think it necessary to press his Amendment to a Division.

The Earl of SELBORNE: I am perfectly satisfied with what my learned and noble Friend has said. Of course, if he should not succeed, I should have an opportunity of proposing the same Amendment, or something else.

Lord HERSCHELL: With regard to this rule-making power, I should certainly like to earmark this from the ordinary rule-making under the County Courts Act. The ordinary County Court rules deal with litigation, and I think the further removed you can make this procedure from the rule procedure, the better. The simpler you can make it, and the cheaper, the better it will be. When you have the ordinary rule-making power, I do not think that is sufficiently impressed on the minds of those who have to make the rules. I think something might be done here to point that out, and also to make the rule-making authority the Lord Chancellor, in consultation with the rule-making Committee, so as to make it a distinct rule-making for the purposes of this Act.

Amendment, by leave of the Committee withdrawn, and Clause 2, as amended, agreed to.

*The Earl of SELBORNE: I now beg to introduce a clause to meet those cases to which attention was called by the most rev. Primate, as well as by myself, on the Second Reading, that is to say, the cases in which the old remedy being taken away by the Bill, the new remedy might, if it were not provided against, be defeated or obstructed by arrangements between landlord and tenant. That, of course, cannot be the intention of the Bill. The Archbishop of Canterbury mentioned that subject as one of which the importance had been represented to him from several quarters. It has been represented to myself also, by more than one clergyman writing in a most reasonable spirit. The difficulty with which my Amendment deals might arise both when there was good faith on the part of the landlord and tenant, and still more, if there were any attempt to use their powers for the purpose of defeating or obstructing the tithe owner's right. Where from perfectly honest motives, beneficial leases, or family leases were granted rent free or at nominal rents, either for money paid down, or on some condition of service, or without any consideration at all, the effect of the Bill in all those cases, unless they were provided for, would be to take away the existing remedy, and give one which for a long time would be absolutely illusory and nugatory. And the same thing would happen, though perhaps for shorter periods of time, and to a more limited extent, in the more ordinary case of a tenancy rent free or at a low rent for one or more years, in consideration of some outlay to be made by the tenant upon the land. I have considered this whole matter as carefully as I could, and I put down first on the Notice Paper a clause on which the wording was not as good as it might be made. I have now put it down in the present improved form, which I hope the House will accept. The substance is, that in those cases where from any cause land is held without rent, or where it is held at a rent so inadequate that taking into account everything else which the receiver can realise it is by reason only of such mode of letting made insufficient to produce the amount recoverable under this Act by the owner of the tithe rent-charge the occupier is to the extent of the deficiency in any year to be treated as the owner, and the proceeding is to be the same as if he were the owner. I hope your Lordship will accept the clause, and I express that hope with the more confidence, because the noble Marquess opposite recognised the necessity of providing for these cases on the former occasion.

Amendment moved, after Clause 2, and before proposed new Clause A, add new Clause B—

> "In any case in which a receiver of the rents and profits of any land shall have been appointed under the last preceding section, if it shall appear that the occupier holds under a landlord, either for the whole of his tenancy or for one or more year or years thereof, rent free or at a nominal rent, or at a rent so far below the annual value of the lands estimated as hereinafter mentioned that by reason thereof the rent payable to the landlord during any years or year while there is such receiver shall be insufficient, after taking into account all sums recoverable in respect of the rents and profits of the other lands (if any) included in the receivership, to pay the amount recoverable during such years or year by the owner of the tithe rent-charge under this Act, then and in every such case, so far as may be necessary for the recovery of such amount, the occupier shall be deemed to be an owner under this Act, and the Court shall have power to order the receiver, for the purpose of recovering the amount of the deficiency so caused, to proceed in the same manner as is by this Act provided in the case of lands occupied by the owner thereof: Provided that any such occupier shall be entitled (subject to the provisions of Section 1 of this Act) to deduct from any sums at any time becoming due from him to the landlord under whom he holds, any amount which shall have been recovered from him under this section in respect of tithe rent-charge or costs."—(*The Earl of Selborne.*)

*The Earl of KIMBERLEY: I should like to ask my noble Friend before the noble Marquess replies, what he meant by "the annual value of the land as hereinafter mentioned." There is no figure mentioned in the clause. It may refer to Schedule B.

*The Earl of SELBORNE: It refers to Clause 5, Schedule B, the valuation according to Schedule B.

*The Earl of KIMBERLEY: If so, the reference is a good way off, and it may cause confusion.

*The Earl of SELBORNE: If that particular phrase seemed open to any misinterpretation, though I do not think it would be, it could be dealt with in Standing Committee.

*Lord MONK BRETTON: Before the noble Marquess replies, I should like to point out this: the landowner having to pay the tithe, a receiver is appointed, and the receiver having been appointed finds that the land is let at a peppercorn rent, or, at all events, below the amount of the tithe; thereupon the clause provides that for the amount of the tithe rent-charge, for which the rent is insufficient, the receiver shall distrain upon the tenant, and that the tenant shall be able to recoup himself by deducting in future years from any increased rent or payment he has to make to the landlord, the amount he has been so called upon to advance in payment of a debt which was not his, but his landlord's. It is obvious that he may be kept out of that money for several years. He may have a lease for 21 years, and during the first seven years the rent may be a very low or nominal one, and he will not have the opportunity of making any deduction therefore for several years. It appears to me reasonable, and I think the House will think so, that he should have interest on that money. I should propose a moderate rate of interest, 4 per cent. per annum, on the amount which has been so taken from him for the landlord's debt. I will ask my noble and learned Friend whether he would be inclined to accept that?

*The Earl of SELBORNE: I have no objection.

The Marquess of SALISBURY: I am rather doubtful whether that would be a just demand. It seems to me, when the occupier is making his bargain with the owner, and makes such bargain, that no rent is payable. The two are practically dealing with money which does not belong to them; they are dealing with the tithe rent-charge, which is due to the tithe owner, and, therefore, he clearly would have no claim to be recouped for making the payment out of his own money within the contract made. However, I am in the hands of the House with regard to the proposed clause, and I do not venture to raise any great objection to this proposition. I am prepared to accept the proposal of the noble and learned Lord on the whole. After the matter has been enormously discussed in private, though no doubt it is surrounded with difficulties on every side, no remedy has been proposed that is entirely satisfactory. Although it is somewhat clumsy, and will operate rather by deterring the owner than by any effect of its own operation, still it will practically prevent that which we have reason to apprehend, namely, a collusive arrangement of the terms of occupancy for the purpose of evading payment of the tithe rent-charge. When my noble and learned Friend first brought this question before the House, I thought it was rather like the question of the Confessor who asked the groom "whether he ever greased the horses' teeth in order to prevent them from eating oats."—"No, but I will take care to do it next time," was the answer of the groom. I thought that the suggestion of the noble and learned Lord was due rather to his own enormous ingenuity, and would rather have a tendency to raise in the minds of evil-thinking men some idea of evading the rent-charge by a method which they never would have thought of themselves. When the noble and learned Lord had once raised it he was certainly bound to find a remedy, and I think the remedy proposed would be satisfactory. The only alteration I would suggest would be that he should not rely on the words "as hereinafter mentioned" for indicating the kind of annual value on which he means to rely. It comes too far afterwards in the Act, and would I think be open to ambiguous interpretations. Otherwise I have nothing to say in objection to the clause. Unless I find the House is otherwise minded I should be indisposed to resist the clause proposed by the noble Lord as not being required.

*Lord MONK BRETTON: As to the legitimacy of the contract, of course if there was collusion between the owner and tenant that the land should be let at a nominal rent for the purpose of defeating the tithe owner's claim, it would be an illegitimate act on both sides. But in an ordinary case the illegitimacy of the letting, if there be any, would be, as it seems to me, on the part of the landowner, and not on the part of the tenant. It might be said it was the duty of the landowner not to let his land at such a rent that there would not be sufficient margin to meet the tithe owner's claim—not to let his land at too low a rent. But I think it might be rather hard to say the same of the tenant who took the land perhaps in ignorance that the rent would not meet the tithe.

*The Earl of KIMBERLEY: I thoroughly sympathise with the object which the noble Lord has in view. I suppose no one would wish to countenance any arrangement between the owner and the tenant for the purpose of defrauding the tithe owner; but I must say I am a little alarmed at some of the statements which have been made, because it seems to me they assume that after this Act is passed every landowner is bound to provide sufficient rent on his land to meet every claim that may be made upon him. That is putting an entirely new restriction upon owners. At present if a man chooses to let his land in consideration of receiving a fore-gift, as it is called, of, say, £100 down, he may do so; he may let his land for years at a peppercorn rent, and there are cases in which that may be a transaction which the landowner may find it convenient to resort to in order to obtain advances of money. He may be very glad to forego his rent for a number of years, and to receive it in that way in advance, but it appears to me that the Bill would lay down that the landowner is to be deprived of his discretion in dealing with his land because he is to be placed under the obligation to see that always upon his land there shall be a sufficient amount of rent to meet the demands under this Bill. That seems to be a serious difficulty arising from the difficulty of placing upon the owner the liability of paying the tithe; because if it is to be accompanied by this restriction upon an owner in dealing with his land in the most advantageous manner, then I think it is a restriction upon his rights, and that neither the Church nor anyone else has a right to take from the owner what is clearly part of his right and incident to his property. I agree that the question might not often arise, and so far I do not feel apprehensive; but I do feel apprehensive in regard to the doctrine being laid down that any landowner, after this Bill is passed, is to be liable for anything except to pay the tithe. He is to be liable to pay the tithe, but not to pay it in a particular manner, and if it is necessary to provide for cases in which the landowner has chosen, at his own convenience, to let the land in a particular way, it would be, I think, better to lay down in a plain and direct manner that where the owner has made such a contract he should be liable to see that the tithe is paid. I know it is difficult to pass such a clause, but I think that you should not restrict the powers of the owner over the letting of his land. There is another objection to the clause. It says at the end of the new clause—

> "Provided that any such occupier shall be entitled, subject to the provision of Section 1 of this Act,"

to make deductions. It may be my own want of understanding, but I do not see how this clause is to be read in conjunction of Section 1 of this Act. I suppose it has some reference to the liability of the occupier to pay an additional rent. I suppose that is the meaning of it; but I have considerable doubts as to the operation of it, and I think it would require to be considered, though I dare say my noble and learned Friend has a ready answer to my remarks.

*THE EARL OF SELBORNE: I think my noble Friend somewhat misunderstands the clause. Section 1 applies only to existing contracts in force at the time the Act is passed, by which the tenants may have agreed to pay the tithe rent-charge. It merely provides for the case in which the tenant has agreed to do that. Section 1 says that the landlord paying the tithe rent-charge is to recover it from the tenant, and you will not want in that case the double operation—first of the tenant deducting from future rent and then the landlord making him pay over again. With regard to the other observation of my noble Friend, I cannot help thinking he was misled by an illustration that was used by a former speaker to take a view of this clause, which it will not at all bear. Your Lordships must recollect that as things now stand no landlord can do what is contemplated here, either in good faith or otherwise—either in the way of the most reasonable arrangement in the world with his tenant, or the most unreasonable, so as to defeat the tithe rent-charge, because the owner of the tithe rent-charge has always his remedy against the person in occupation. Well, let us distinguish the cases which may happen, and suppose, first of all, the case of a tenancy existing when the Act is passed. It is 10 to 1 that when a beneficial lease of this sort, either for the whole of the term or for part of it, has been given, the landlord has stipulated that the tenant shall pay the rent-charge, in which case it is clear that the operation of this clause will be in conformity with the tenant's contract. On the other hand, if we are to suppose a special covenant by the landlord to pay the tithe and to indemnify the occupier, that covenant would remain, and the clause would not take away the right of suit under it, but would give the additional remedy of retaining it out of future rent. Then, in regard to all future contracts, they would have been made in view of this state of things:

that if the tenant arranges so that he gets the whole usufruct of the land without paying anything, or so much of it as is measured by the difference between a full and a low rent, he will remain under the same liability as he would have been before this Act passed for the deficiency which the landlord does not pay, and will have his recourse over; the landlord being no longer able, by making a new contract, to arrange that the tenant shall pay the tithe.

*THE BISHOP OF LONDON: My Lords, I think it is rather inconvenient that we should be discussing this clause here, because in reality the purpose of this clause which is proposed to be inserted is to prevent a mischief which might arise under Section 5. Under that clause if the owner shows that the rent which he receives is so small that the tithe rent-charge will be twice as much (because that is what it comes to) as the remainder, then the tithe rent-charge is to be diminished in proportion to the rent received. In ordinary cases one can understand how that would work, but in such a case as that of a beneficial lease the freeholder will appear in Schedule B for Income Tax as only receiving this supposed peppercorn rent. Of course, I am under correction if that is not so, but in that case it would be entirely gone, and there is a great danger that the tithe rent-charge may disappear altogether. What I want to find out is this: there are properties in which the land will not appear in Schedule B at all, and the consequence will be that as there is nothing in Schedule B the tithe rent-charge will go under Clause 5 entirely. I think that ought to be provided for and I should very much have preferred that all these questions should have been discussed and considered in connection with Clause 5.

*THE EARL OF SELBORNE: I cannot agree with the right rev. Prelate. I do not propose by this clause to interfere at all with the operation of Clause 5. Clause 5 does not proceed upon the actual rent but upon the annual value under the Income Tax Act, Schedule B, which provides that if the letting be not at a rack-rent, then you take the annual value at what the land might be fairly let for, and if, under Clause 5, there should be a remission allowed that would be a reduction under the Act. What the clause aims at is this: The sole remedy which you give, when the occupier is not also owner, is a receiver of rents and profits. Let me suppose, as an illustration, a lease for seven years at a peppercorn rent or at no rent at all; a receiver is put in; what is he to receive? He cannot turn the tenant out, because the tenant has got a seven years' lease, and I presume that, as between him and the tithe rent-charge owner, it is unimpeachable. In that case, unless it is provided for in the way that I propose, or in some other way equally effective, there is nothing whatever for the receiver to receive, and either the clergyman has to run up from year to year a charge against some future rent, which may have to be paid at a distance of time to the same or some other landlord, or else he is to be kept out of his money entirely, a ruinous delay under any circumstances, and under some circumstances an absolute and total loss. Cases in which such might be the effect of arrangements between landlord and tenant must be provided for in some way, so as to prevent that consequence; and no injustice can arise from dealing with them as I propose: for, so far as the occupier has, by such an arrangement, a beneficial usufruct, he is in substance an owner; and this Amendment will impose upon him, at the most, the same liability to which he is now by law subject.

*LORD BRAMWELL: I cannot think that this clause will have the disastrous effect which the noble Lord (the Earl of Kimberley) anticipates from it. It would be a disaster if it were attended with such a consequence. There is a dilemma—either the tenant whose rent is not sufficient to satisfy the tithe rent-charge has agreed with his landlord to pay it, which he may do, and then he cannot complain of this clause, or he has not agreed, and in that case, if he is distrained upon or compelled to pay it, he will have a remedy against his landlord not *quâ* landlord, but *quâ* a man who ought to have paid that debt which he has been compelled to pay. Every lawyer of us well knows that it has been repeatedly decided that if a man is compelled to pay a debt which is due by another and not due by him, he has a remedy over against the man who ought to have paid it.

LORD HERSCHELL: I think this question is one of considerable difficulty, though I do not object in principle to the proposal of my noble and learned Friend. I do not think there is any real difficulty where the land is held rent free or at a nominal rent, because where land is so held you might reasonably and properly define an "owner" to include any owner who shall hold. The definition would render liable a person who is letting at no rent at all or at a nominal rent. The difficulty, of course, arises when you have a letting which is simply a letting for an annual value. Of course, it may be a letting so far below the annual value that it is not what one may call the ordinary letting value of the land, the ordinary arrangement between landlord and tenant in which the payment of the rates is dealt with in the ordinary way; but the difficulty is where to draw the line, and I cannot help thinking that some difficulty would arise out of my noble and learned Friend's Amendment. I would suggest for his consideration whether for those purposes it might not be possible either to draw the line as to the proportion of the annual value, which shall cause a man to be regarded as the owner, and propably he might in that way include all, or almost all, the value. Or if he does not do that, then—the object of this Bill being to avoid a distraint upon the occupier—whether it might not be better in those cases where the owner has entered into a contract with the occupier different from the ordinary contract of letting, to make the owner directly and personally liable for the rent-charge. Of course it is an exceptional case which, under these circumstances, might be exceptionally dealt with; but I cannot do more now than call attention to some of the difficulties which arise on that portion of the clause which provides for cases where the rent is so far below the ordinary rent that it will not meet the tithe, because that might vary in different cases very materially. I thought that my noble and learned Friend might like to consider that question, though I do not myself feel any real difficulty about it.

THE MARQUESS OF SALISBURY: I am told by those who are learned in the views of the other House that the particular remedy suggested by the noble and learned Lord, namely, to make the owner in such cases liable, is precisely what that House will not have. We are rather in an inverted order of things here. This House is usually considered to be one in which landowners are strong and their interests fully guarded, yet in this House I have had no difficulties in regard to this Bill; but in the other House they are exceedingly jealous of the rights of property in this matter, and I am not sure whether, if such a proposal as this were inserted, it would pass in the other House. It is rather for that reason than for any other that I prefer the proposal of the noble and learned Lord, which I think would be more readily accepted. If you wish to make the owner liable you have a simple way of doing it by stating that in those cases the owner shall be treated as a Quaker is under the principal Act.

LORD HERSCHELL: I should like to say, with reference to what the noble Marquess has stated, that I should be far from favouring any proposal to make the owner personally liable generally. What I threw out was with regard to the alterations which would make an exceptional case.

THE MARQUESS OF SALISBURY: Certainly.

Amendment and Clause agreed to.

Amendment moved, at the end of the new Clause last agreed to, to insert the words "With interest thereon at the rate of 4 per cent. per annum."—(*Lord Monk Bretton.*)

Amendment agreed to.

*THE EARL OF SELBORNE: My Lords, the Bill as it stands contains a sub-section to the effect that the sum ordered to be paid for costs shall not be personally recovered. I never saw such a clause before, and I cannot think it sound in principle even with regard to ordinary costs. Still, with regard to ordinary costs, as importance was attributed to it in the House of Commons, I am not disposed to create any difficulty. The words (in Sub-section 8) are these:—

> "Nothing in this Act shall impose or constitute any personal liability upon any occupier or owner of lands for the payment of any tithe rent-charge or any other sum recoverable or payable under this Act."

As to the tithe rent-charge, there is no personal liability now, and it is not intended to create one; and in deference to the feeling of the House of Commons, I should not take exception to a provision that ordinary costs should follow the tithe rent-charge, and be recoverable in that way only. But, my Lords, it is possible that when persons are in litigation or litigiously disposed, and still more when the power of the purse is upon one side and not upon the other—and yet further, if to those circumstances is added some motive to defeat the right of the owner of the tithe rent-charge costs may be vexatiously and oppressively occasioned. I cannot think it was the intention of the House of Commons to exclude the power of the Court if it is specially found that costs had been so occasioned, to order them to be paid by the person who was acting vexatiously and oppressively in so causing them. I cannot help thinking that is a case which has been lost sight of, and, at all events, I am quite sure that justice does require that there should be power to order such costs to be paid in the ordinary manner.

Amendment moved, to add, after the new Clause agreed to, the following new Clause:—

> "Costs Vexatiously Occasioned.—Notwithstanding anything in this Act contained, the Court shall have power to order any costs which it shall find to have been vexatiously or oppressively occasioned to be paid and recovered in the same manner as in the case of an ordinary action in the Court."—(*The Earl of Selborne.*)

THE MARQUESS OF SALISBURY: I have nothing to say against the argument of the noble and learned Lord. I have only to repeat, in regard to this clause, the consideration which I employed just now—that I cannot forecast in what way this addition is likely to be received elsewhere, in view of the fact that the whole subject, as the noble and learned Lord is well aware, has been canvassed at considerable length and with considerable heat. But reserving to myself the right to form what opinion I may, if this clause should be altered or objected to elsewhere, I cannot say that I think I ought to advise the House to reject it.

Amendment agreed to.

THE MARQUESS OF SALISBURY: I have now something of the same kind to move to insert. I move after Clause 2, page 3, to insert the following clause:—

> "An application to a County Court for an order under this Act may be made on behalf of the tithe owner by his agent, although not a solicitor, and on such application the costs either of a solicitor or of a witness shall not be allowed in any case where notice of defence has not been given, and when such notice has been given the costs of a solicitor shall only be allowed for work done subsequent to the notice."

I am not myself familiar with the technical proceedings, but I do not imagine that any hardship can arise under this clause, while on the other hand it will prevent poor tithe-payers being exposed to unnecessary costs.

LORD HERSCHELL: I have no objection to the substance of this clause, but, as regards the wording, I do not think it should be "where notice of defence has not been given." That seems rather to encourage the notion of litigation, which I am very anxious to avoid as far as possible under this Bill. It will not be so where there is a defence, I suppose. The noble Marquess means probably notice of opposition to an order or something of that sort. I think it would be desirable to alter the wording in that respect so as not to encourage litigation.

THE MARQUESS OF SALISBURY: The wording can be altered at another stage.

*THE EARL OF SELBORNE: The noble Lord will, no doubt, consider whether it should exclude necessary costs. The words are where notice of defence has not been given—

> "The costs either of a solicitor or of a witness shall not be allowed, and when such notice has been given the costs of a solicitor only shall be allowed for work done subsequent to the notice."

The costs are given in ordinary cases where the money has not been paid upon proper application. This cuts off the first costs and throws them upon the owner. There may be reasons for doing that, but I think questions may arise in many cases where costs must be incurred. I do not say that in a very simple case it would be necessary to employ a lawyer, and then there would be no costs of this kind at all; but supposing the case is not so easy and one in which a prudent man would hardly do without a solicitor, it does seem a little hard in all such cases to throw the preliminary costs upon the tithe owner. The words disallow these preliminary costs in all cases; not only when notice of defence has not, but even when it has been given. I can well understand that there may be cases where there would be some presumption that there was no necessity to incur such costs; but I cannot understand why costs incurred previous to the notice should not be allowed as well as those incurred subsequently.

*THE EARL OF KIMBERLEY: I hope the noble Marquess will adhere to his clause. It is exceedingly desirable, when we are bringing in another kind of litigation for the first time, that every possible means should be taken to discourage the employment of solicitors, and to prevent the imposition of costs upon those who pay very small sums. I cannot help thinking the noble Marquess's benevolent intentions ought to have been persevered in in this clause.

THE MARQUESS OF SALISBURY: I quite appreciate the necessity of avoiding more than is necessary the employment of solicitors, and I think, on the whole, it is better to hold to the clause. It is impossible in framing clauses for the working of a new experiment to ensure absolutely that no hardship shall fall upon the tithe owner, but I think we must not omit to take into consideration the possibility of hardship upon the tithepayer too.

Amendment agreed to.

Clause 3.

*THE BISHOP OF LONDON: My Lords, there is a general feeling on the part of the clergy, and I may say that I have received a large number of letters upon the subject from them, that they are hardly dealt with in this rating clause. Of course I am aware that there is a great deal to be said on both sides, and certainly I have no desire to press any Amendment which appears to the House not to be reasonable. But the case is this: that in this respect the tithe owner is put to considerable disadvantage in comparison with all other ratepayers, and that, too, in a way which constitutes an entirely new departure as regards the rating of tithe rent-charges. The tithe owner is put in this position: that he may be called upon to pay a rate upon a tithe rent-charge which, nevertheless, he is not able to recover. He may be called upon to pay this rate, not only with the possibility of not recovering his tithe rent-charge, but he may be called upon to go into Court for it. The tithepayer has three months' time, but the tithe owner has no time allowed him at all, and he may be called into Court and required to pay his rate, although the tithepayer is meantime quite free for three months from the necessity of making the payment out of which the rate is to come. It seems to me it is only reasonable that you should give to the tithe owner the same limitation of time that you give to the tithepayer. If the tithepayer is to have three months' time let the tithe owner have just a little margin over that three months' in order that he may get his tithe in in those cases where there may be a little unwillingness, or possibly a very great unwillingness, to pay it. What I propose here would come very much to this: supposing a tithe rent-charge was due in January, and supposing the rate was made in the February or the March afterwards, I should say that the tithe owner ought to be allowed to pay his rate in the succeeding May. By that time the three months will have gone by. He will then be able to proceed against the tithepayer, who is the owner of the land, for his tithe, and then he is in a position to pay the rate. If the rate be made in such a case as that after the lapse of the four months, then of course he ought to pay directly if he is called upon to do so, and I should not wish to put any obstacle in the way of the demand that is made upon him. But it seems to me it is very hard indeed that the tithe owner should be placed in a different position as regards the debt due to him from that in which every other ratepayer is in, and yet that he should be subject to precisely the same liability as any other ratepayer. It is urged that they all ought to be upon an equality. If you put them both on an equality that would be reasonable; but you allow any other ratepayer to get in his money by an action, whereas you do not allow the tithe owner to recover by action, and you do not allow him to recover at all for the three months. That seems to be a very great hardship, and I propose to insert a new sub-section to remedy it. I will not answer for the wording, because in these cases the wording may require very careful consideration, so as to exactly convey what it is that is intended. I propose in page 4, line 2, to insert this new sub-section—that,

"No rate assessed on a tithe rent-charge shall be recoverable until four months after the said tithe rent-charge shall have become due."

I mean by that, that if the rate is made between the two times at which the tithe rent is payable and is paid it should not be recoverable until four months after the first of those two times. If the tithe rent-charge is due in January and July, then the rate should not be recoverable until May or November, whenever it is made between those months. If it is only made in May or November it would be recoverable, of course, without delay. If it were made in February, for instance, still it would not be recoverable until May, and so on, making the recovery of the rate depend upon the date at which the tithe rent-charge shall have become payable. In the vast majority of cases this will not interfere with the ordinary practice in the least, because in most cases they will probably go on just as they have done for a long time, since 1836 or almost since 1836. But there are extreme cases, as we perfectly well know, and there is now and then a strong animus, there may even be a desire to put the clergyman into difficulties, and I think what I am putting before your Lordships is no more than justice. The next Amendment which I have to propose goes a step further still; but in regard to this one, I hope that if the noble Marquess cannot accept it he will be willing to consider the matter, and see how justice might be done in this particular case of a property which is liable to rates, but which is not like any other property capable of being recovered in the ordinary manner. Perhaps if it cannot be done in this way it may possibly be done in some other manner.

Amendment moved, in page 4, line 2, before sub-section insert new sub-section—

"2a. No rate assessed on a tithe rent-charge shall be recoverable until four months after the said tithe rent-charge shall have become due."

And, in line 3, leave out the words ("if the collector of the rate") down to ("owner of any tithe rent-charge") in line 5, and insert—

The Bishop of London

("If the owner of the tithe rent-charge shall certify to the rate collector that his tithe rent charge has not been paid, and that he has commenced proceedings in the County Court to recover it, the rate collector shall apply to the Court and.")—(*The Bishop of London.*)

*THE EARL OF SELBORNE: Before the noble Marquess answers that, I should like to say a few words in support generally of the Amendment of the right rev. Prelate. The only point about which I feel doubt at present is whether four months may be necessary; but for a delay of three months I think the case is very strong. The present situation in point of law as to rates on tithe rent-charges is this. It was decided two years ago, in a litigated case which went to the Court of Appeal, that when the rates upon the tithe rent-charge were not paid by the owner of the tithe rent-charge the remedy by law is by distress against the occupier. So that, in point of fact, at present a distraint against the tithe owner's goods, such as will be given by this clause, is not law; he is not liable to it; and the rate is made by the present law a charge upon the present tithe recoverable in the same way as the tithe rent-charge itself, and therefore the tithe owner is not compelled to pay it except out of the tithe rent-charge. That is the present state of the law. This Bill postpones, in the case where the tithe rent-charge is not voluntarily paid, all practical remedy for its recovery until the tithe rent-charge is three months in arrear. A question may be raised as to what the effect of that will be. I own that I think it very likely it will be treated by land agents and others as making payment before that lapse of time unnecessary; and in many cases, at all events, the rent-charge will not be practically receivable even when paid voluntarily until the end of three months; and we know this has been and is felt rather strongly by many of the clergy as putting them to considerable disadvantage in comparison with the present state of the law, which gives them a right to recover in 21 days. I think they have done wisely, and that their friends have done wisely, in acquiescing in that; because some reasonable consideration must be given to the position and convenience of the owner when a change in the law of this kind is made, and I understood the noble Marquess to express the opinion that the landowner might reasonably want some such enlarged time as that which the Bill gives him. But all this tends to the conclusion that advantage may be taken of that provision in perfect good faith, and that the clergyman may not receive his tithe rent-charge for three months. Under those circumstances, it seems to me that it would be a very great injustice indeed if he could have his goods distrained upon in respect of the rates made on the rent-charge before he could in the ordinary course of things get the rent-charge in, certainly before he could have the legal right to recover it. I think the right rev. Prelate has spoken with undue modesty with regard to the framing of his Amendment; as I have myself received many letters pressing upon me this view of the case, and I must confess I do not think I could have prepared it better than it has been done by the right rev. Prelate, or by those who may have assisted him in preparing the Amendments. I think, whether the time given be four months or something else, that not less than three months ought to be given when you are altering the law in this way, and making the tithe owner liable in a way in which he has not been liable before. I do not see why he should not be proceeded against for rates like anybody else, but let it be upon property which he has received, or is at the time when the proceeding is taken in a position to receive. Perhaps it may not be inconvenient that the proposed Amendment should be considered in connection with the right rev. Prelate's other proposed Amendments. I presume the object of making the time four months instead of three was to give a margin within which it might be ascertained whether the owner would be driven to take proceedings in the County Court or not. I am not quite sure whether so large a margin is necessary. However, I think on principle, if he is kept out of his money and obliged to go to the Court, it would be most reasonable that in that case the rating authority should have power to recover through the means of the Court, so that whatever is recovered by the Court should through the Court pay the rate. That is the substance of the second proposition, that upon the existence of a litigation being certified the rate is, in substance, to be recovered through the Court out of the money upon which it is levied. For that there appears to be an additional reason to which I cannot myself see the answer at present. Under the 5th clause of this Bill the Court may reduce the amount. The rate may have been made upon the whole rent-charge, which *primâ facie* the tithe owner is entitled to receive. Under the 5th clause of the Bill, when the case comes into Court, the tithe owner may claim a remission. Of course, until you know what will be the amount of the tithe rent-charge you do not know that the rate has not been imposed upon a larger amount than it ought to have been. The third Amendment provides for that in the proper place, and, upon the whole, I shall be disappointed if I do not hear that these Amendments are accepted in principle, and, as far as my judgment goes, I think they are quite rightly put forward.

*LORD MONK BRETTON: I should like to say a few words before the noble Marquess rises to reply, and they will be to urge that, notwithstanding the high authority of the noble and learned Lord who has just spoken, the House will very carefully consider what it is about to do. It seems to me a proposition of a most serious character. I think it conflicts with the principle on which our system of rating is based. The assessment is made upon the existing state of things, and the existing value may be arrived at by looking at what have been the recent receipts of any property. You never look forward to ascertain what are likely to be the receipts in the next half year in assessing property. You are not to make the assessment in prospect; you are not to listen to suggestions of what is likely to happen, but the question is what is the property to be assessed worth at the present moment. What has been received lately in respect of it? That is one piece of evidence, or may be so, of what the actual value is. You are to determine the existing amount, upon that a rate is fixed of so many shillings or pence in the £1, calculated to meet the immediate wants of the parish, and this rate is due from every one on a certain date. The proposition here is that in the case of one particular class of persons, the tithe owners; before the rate is paid the tithe owner may wait till his next tithe comes in and see whether it comes up to what is estimated by the proprietor. Now that is entirely a new proposition, and I confess I can hardly see the difference between saying that you are to give the tithe owner four months in order that he may wait for the next receipt of tithe and see whether it comes up to expectation; and saying the same thing in the case of a landowner. The landowner might say, "I want to wait till I get my next half-year's rent in hand, or till I have realised my next half-year's profit, and then see whether it comes up to what I expect." The rate, your Lordships observe, is made, and is due on a certain day and ought to be paid. So much is that the case, that I believe I am correct in saying if a ratepayer appeals against his rate, and the appeal is still pending, yet he is called upon to pay the rate on the day on which it is due. If the appeal goes in his favour, and the rate is reduced, in some cases the difference will be refunded, but, I believe in general, it is credited to him in regard to the next rate. Then it is said that the tithe owner is being put in a different position, because formerly he received his tithe in 21 days, and now he will have to wait for it three months. In former cases the tithe might not have been received before his rate became due. He still would have to pay it. I would point this out, that though the tithe owner is by the present law entitled to his tithe in 21 days, he is more often nearly three months than three weeks in getting his tithe in, and, therefore, the change made in fixing a period of three months is not practically so great as has been supposed. Stress is laid upon this, that there might be an abatement made after the rate is paid. That may be so; but the rate he is called upon to pay is based upon past receipts of tithe, and if the next receipt is abated, his proper remedy will be to get his assessment reduced. This question appears to me to be so material as affecting the principle of rating that I should venture to hope that the Committee would be inclined to think this is a matter which should be very carefully inquired into and left for the consideration of the Standing Committee.

*THE BISHOP OF LONDON: I wish to remark that I did not intend the three Amendments I put down to be bound up together of necessity. There is another one on Clause 5 which is quite distinct from what has been said against the first Amendment on Clause 3. The first Amendment on Clause 3 stands on quite a different footing from the last one. It may be quite true that on the mere principle of rating you ought to make the man pay the rate on that which he does not really receive, and I should be quite willing to bow to the authority of those who thoroughly understand the subject upon that point. But that does not apply to this allowance in respect of rate where the tithe is yet to be received, because the property is not yet in the man's hand. It is property out of which the rate is to come, but which he has not got, and he is put in a difficulty with regard to the sum he has not got which no other ratepayer is under. No other ratepayer is required to wait three months before the property belonging to him can be got in; he can go before the County Court the moment it is due, and, therefore, in that respect the injustice of this payment upon tithe seems to me to be plain. The payment of rate upon tithe appears to stand by itself in that respect. Then with regard to the difficulty of collecting the rate; the rate collector can go to the Court and get his money there. There is this difference between this particular class of ratepayers and every other ratepayer: Other ratepayers are assessed upon the visible property which they hold; it is theirs and in their possession, and it is seized, if necessary, by the rate collector from them; but here the property upon which the man has to pay the rate is not in his possession at all, and he cannot get it except through the Court. It is only reasonable, therefore, that what is the ultimate source—that is, the land from which the rate is to come, should be called upon to pay the rate as it is called upon to pay the tithe.

*LORD BASING: My Lords, I concur generally in the argument of my noble Friend against this proposition, which seems to me to proceed on a fallacious view of what rates are. They are not a charge on income or profits—they are a contribution in each parish towards the common funds. It does not follow that other occupiers in the parish have any independent fund which enables them to pay the rate. On the contrary, the occupier of a house has to pay the rent of his house, yet he is charged to the rates in respect of the value of that occupation. And so tithe owners, as well as other ratepayers in the parish, are assessed in respect of the value of their occupation. It does not follow that the rates should not be paid until the means have actually accrued and have passed into the pocket of the ratepayer. That is quite a new doctrine to me, and I cannot understand it. It is very true that the Bill proposes that a margin of three months shall elapse before the necessary payment shall be exacted; but three months' time is not only given now by tithe collectors, but six months, or even 12 months, elapse. Many, no doubt, ask for it as soon as they can get it, but that is very seldom within three months. On the other hand, it is a fallacy to suppose that rates are paid within as short a period as the three weeks now suggested. I do not know what may be the case in some parishes, but I have never certainly heard of a severe or peremptory remedy being taken for the payment of rates within that period. A few weeks' delay is not regarded as a very great matter by the rate collector. Then, again, it proceeds on the hypothesis that all the ratepayers in the parish have combined to withhold from the tithepayer the means of paying his rate. Supposing one tithepayer is in arrear, the tithe owner may have money coming in from other sources; and to assume that the whole body of tithepayers in the parish, who may be a large number of persons, are going to combine to withhold from the owner the means of paying his rates, seems to me the strangest and wildest supposition possible. I trust, therefore, the Government will not consent to this Amendment.

*THE EARL OF KIMBERLEY: My noble Friend has anticipated a good deal of what I was about to say. I think in the arguments hitherto the ratepayers have been entirely neglected, and you are bound to consider their interests. In any given parish or union all the ratepayers ought in justice to be on an equal footing, and it would be perfectly unjust that contributions should be obtained from one kind of property at one moment and that they should be postponed in regard to other kinds of property in other cases. The contributions ought to be levied equally and at the same time from every person who contributes in the parish, and that without reference to whether the property is tithe or of any other description. The ratepayers otherwise will be paying a portion of that rate which they have a right to look to to meet the expenses of the parish. I do not see how you can, with any justice, postpone by law the payment of the rate when the rate becomes due. Though I do not deny that there may be some hardship in this case upon the tithe owner, I think, as the noble Lord pointed out, it is not likely to be so great as seems to be anticipated under the provisions of this Bill, because I do not think the tithe owners get their tithes by any means punctually at present, nor do I think it is the custom to demand it the moment it becomes due. The tithe owners give a certain amount of law, as it is called, to the tithepayers, just as landowners do. Speaking from my own experience, I believe the time for the collection of tithe is generally a month after it becomes due. If it is necessary to make any special provision in this case it seems to me it is the owner you ought to look to, because in point of fact the property has accrued at the time when the tithe is demandable; that is to say, it is presumed that there is that value existing, though the payer for his own convenience does not pay for three months. Let me ask, is not there a very strong analogy between these cases and the position of the occupier who pays Income Tax under Schedule A? Under Schedule A every occupier of agricultural land is bound to pay the landlord's Income Tax levied under that Schedule, but he cannot escape one single penny of that until he produces the receipt. When the tenant pays his rent to his landlord the receipt is given for so much as the Income Tax amounts to. Supposing he does not pay his rent for a year he still cannot recover one shilling of the Income Tax, and the reason he cannot recover it is that he has not paid his rent; simply for his own convenience the rent is postponed, and until he does pay he cannot recover the Income Tax. Therefore, although I have not the slightest desire to increase the liabilities of owners under this Bill, partly perhaps because I am an owner myself, and partly because I believe on grounds of policy it is desirable not to increase them, it seems to me that if anything is to be done, the most obvious and just mode of doing it would be that the owner should pay the rates, and deduct them when he himself pays.

*THE BISHOP OF LONDON: That was practically what I meant by my proposition.

THE MARQUESS OF SALISBURY: My Lords, this is not a lively subject, but it is a very difficult one. It seems more difficult to adjust it than any other point which has yet arisen. This clause in its wording certainly seems to go a great deal too far. It would enable the tithe owner to be in arrear with his rent for four months, even though he had received every penny of his tithe up to date. I think that must be dismissed at once as an unreasonable proposal. Then you must go next to the case where he does not receive the tithe until the full limit of three months. Ought he on that account to receive any law when the rate is levied some time before? Undoubtedly my noble Friend behind me (Lord Basing) and the noble Lord opposite (Earl Kimberley) are quite right in their reasoning upon the general principles by which rates are levied on property. If I possess and let a furnished house the rates may be levied four months before my rent comes in, but no law or consideration is given me on that account. But, then, that argument leaves out of sight the other peculiar circumstances of the case—that a personal liability is being put upon the tithe owner, to which he has never before been subjected, and that should be taken into consideration. I certainly think the position of the tithe owner is one deserving of consideration, because the money is levied on the rent-charge as it arises, so that by an automatic process in former times that very law was given him which is now being asked for him. But there is a third case in which his claim seems to be much stronger. A rate is not levied upon a man in respect of property which he does not possess. It is provided by this Bill that in certain instances the tithe owner shall not possess his property—that in certain cases the County Court shall come in and say that the land is not strong enough to pay, and therefore the tithe may be remitted. It does, therefore, seem somewhat hard upon the tithe owner that he should have to pay a rate on a tithe rent-charge which he will never receive. However, I should like to have further time to consider the matter; and if it is the view of the Committee, I should be inclined to accept the suggestion which has been made, but on the distinct understanding that the Government will not be bound in any way in regard to it, and that they will be at liberty to thresh the matter out in order to arrive at some arrangement, if possible, in Standing Committee.

*THE EARL OF KIMBERLEY: I hope the noble Marquess will pursue that course, and allow this to be discussed in Standing Committee. I feel that there is some difficulty about it, and that it is quite open to some of the remarks that have been made. Therefore, I think if the right reverend Prelate would not press the clauses now, but will be satisfied to move them in Standing Committee, that would be sufficient.

THE MARQUESS OF SALISBURY: As that is the view of the noble Lord opposite, I would recommend the right reverend Prelate to adopt that course.

*THE BISHOP OF LONDON: I am quite content with what the noble Marquess said. I only want the case to be thoroughly sifted; and, provided it is fairly brought before the Standing Committee, I am quite content. I will, therewithdraw my Amendment.

Amendment, by leave of the Committee, withdrawn.

Clause 3 agreed to.

Clause 4 agreed to.

Clause 5.

*LORD BRABOURNE: My Lords, I have an Amendment upon Clause 5 of a very simple character, and I hope it is one that will commend itself to your Lordships. This clause enacts that when the total amount paid on account of the tithe rent-charge for 12 months preceding the date on which the sum claimed becomes payable will exceed two-thirds of the annual value of the land, there shall be a deduction, or remission, of so much as is equal to the excess over the two-thirds. I do not know why this precise figure was fixed upon, nor do I feel quite sure that I have correctly read it; for really this is a Bill which it would require a skilled lawyer to understand and dissect in all its various clauses. Now, the annual value of land for the purpose of assessment under Schedule B seems to be rather an extraordinary thing. Schedule B, as I have always understood it, is Schedule A *plus* the tithe. Well, how would this work? Supposing you have a farm which is let for £100; under Schedule A there would be Income Tax payable. Now, two-thirds of that would be £66 13s. 4d. Under Schedule B on, say, £120, the amount would be £80. Now, what I want to know is, how much do these gentlemen think they ought to have more than the tenth, which is the amount of the tithe? It appears to me if you have a rent of tithe £60, the tenth of which would be £6, the tithe owner will be doing pretty well if he gets five times the amount of that; that is to say, £30. If the amount of tithe rent-charge comes to half the annual value, is it not right that the deduction should begin then? Is it not a reasonable thing to say that the tithe owner shall be satisfied with a reduced amount of tithe rent-charge if it should be half the annual value of the land. The argument might be carried a very long way if one were to go into the whole history of tithe, and the purposes for which it was originally granted. In that case the argument would be interminable, and, after all, we should leave off very much where we commenced; but, in this case, I think your Lordships will agree with me that when these tithes were granted those who granted them never believed or supposed they were granting half the value of the land. I therefore put it to your Lordships whether, when it is half the value, it would not be a reasonable thing to allow it to go no higher?

Amendment moved, to substitute in Clause 5, Sub-section 1, line 35, the words "one-half" for "two-thirds.—(*Lord Brabourne.*)

THE MARQUESS OF SALISBURY: My Lords, I quite join in the noble Lord's indisposition to go back into the early history of tithes; but I think we may go back far enough to learn that tithe is a tenth part of the gross annual value of the land, and not of the annual rent. That is the basis of tithe. He has again and again complained that the tithe owner receives more than a tenth part of the rent. That has nothing to do with it, and I am quite sure that those primæval donors to whom he refers had no idea of annual value under Schedule B when they gave the tithe of the land. The calculation on which this proportion of two-thirds rests we have already discussed. Several noble Lords in this House feel rather strongly upon the subject of admitting any diminution from the value. The only thing to be said in that behalf is that the land is not as valuable to the tithe owner if he either takes it under process into his own hands or places it in the hands of a receiver, as it is to the occupier; and that both with respect to the burdens upon the land, and the difference in value in consequence of that change in cultivation, some allowance seems to be necessary if you intend to prevent the land going out of cultivation. I do not pretend to defend with any warmth the accuracy of this calculation of two-thirds; but it seems to me more near to what is just after the argument which I have heard than any other figure that can be suggested, and I certainly think the noble Lord's proposal to insert, instead of it, "one-half" would not afford a satisfactory substitute.

Amendment negatived.

*THE BISHOP OF LONDON: My Lords, I would ask upon his clause a question on one matter which has been brought to my notice by a great many incumbents in the Midland Counties. I want to ask what would be the effect of Sub-section 4 of this clause? This sub-section provides for ascertaining the annual value of any lands which do not appear in Schedule B. What is represented to me is this: that in mining districts it is very often the case that a very large quantity of land is laid waste by mining operations, and that in consequence all the surface has gone as far as regards the purposes of cultivation. Those lands are waste lands, and they will not appear, therefore, in Scedule B at all as I understand. In that case I should like to know what would be the guide to the Commissioners in ascertaining the value of the land. Will the owner of the mine be considered as the owner of those lands, and will he be made liable under this sub-section for the payment of the tithe, or will it be the lessee who is liable? Unless there is some provision distinctly made for such cases, the clergy are afraid that whatever happens in that respect, at all events, the tithe rent-charge will altogether disappear under the application of this clause.

THE MARQUESS OF SALISBURY: My answer to the question must be to refer the right rev. Prelate to the condition of the tithe owner before the Act of 1836 was passed. If the land was so laid waste by subterranean processes and produced nothing, it is obvious that the tithe owner would get nothing by distress upon the land, and his rights would disappear. You may say that would be hard upon him, but I do not see how you can bring into the value the land that is used in working mines which lie beneath its surface. Those mines are not in any sense titheable as I understand, and you would be departing from the whole principle of your Tithe Acts if you attempted to levy a tithe upon them. It is possible that the wording of Sub-section 4 may require revision, but I do not see my way to giving any tithe upon waste land, even though the land has not been laid waste with the consent of the tithe owner.

THE BISHOP OF LONDON: I should like to point out to the noble Marquess that one of the operations of the Tithe Act was to exempt from loss of tithe any land which became no longer available for agricultural purposes. Before 1836 land occupied by buildings in the ordinary way ceased to be titheable; but that was changed as part of the legislation, and there are some cases in the Midland Counties where the operation of this clause would be simply to deprive the incumbents of the tithe they have enjoyed ever since 1836.

LORD HERSCHELL: I think there is a question upon this which will have to be considered, because it is not at all an uncommon case that land does not become absolutely waste by means of the mining operations carried on beneath, though it may nevertheless become of very little value agriculturally. It is very common in mining districts for the mining lessee to have considerable surface rights, and of course he can use the surface for spoil banks, for his pits, and for other purposes. As regards that land, I do not know whether in ascertaining the annual value under Subsection 4 the use of the land in that way would be taken into account. It is possible it might be, and it is possible that all those cases might be, excluded by reason of this section not applying to those lands or to any except such as are used solely for agricultural purposes. In such a case, though the power of distress would have been a remedy which might have produced nothing, you had prior to the passing of this measure the remedy of suing out a writ *habere facias possessionem.* So far as the land is regarded agriculturally, the value may be very low indeed, yet nevertheless the landowner does in many cases receive consideration for it. He gives this surface as part of the consideration which he receives for the mining rights the lessee obtains, although the agricultural value of it is very small. I think there should be some provision in those cases which would enable the tithe owner to recover against that rent.

*THE EARL OF SELBORNE: I think the noble Marquess in what he said addressed his mind rather too exclusively to the supposed rule of the whole rent-charge being claimed out of land lying absolutely waste. There might be a rent-charge due upon land which was only partially waste from this cause; and what is waste only because it is used in a way more beneficial to the owner than husbandry cannot justly be made the ground of a claim for remission under Clause 5. This particular kind of remission I cannot help thinking was intended for land under husbandry, and ought to be confined to such land. One reason for thinking that it could not be intended to apply to land occupied in connection with mines, to my mind, is this: The Income Tax Regulations are not very easy to understand, though by long practice they may possibly be understood by those who have to do with them. Under Schedules A and B, with one of which we are now concerned, provision is made for assessment upon the principle of annual value; but there are special cases, for which exceptional rules are made; and the case of mines in particular is subject, generally, to an average of five years. In the case of Schedule B there are introduced general words to the effect that the duties under Schedule A and B, except where other provisions are made for estimating particular properties, shall be estimated according to the general rules in the clause: those general rules being inapplicable to land used in connection with mines. I have no doubt myself that this remission clause here can only work under that general provision which applies to agricultural land, and that it was never meant to apply to land which is practically used in connection with mines. Those lands are not absolutely waste in the sense of not producing profit. I would submit for the consideration of the noble Marquess that it might be well to say that this clause is not applicable to cases which do not come under the general rules for assessing annual value for the purposes of the Income Tax Acts.

THE MARQUESS OF SALISBURY: There is a difficulty which occurs to me in taking the course recommended by the noble and learned Lord precisely, and that is that the lands so diminished in value are not thereby taken out of the category of lands subject to husbandry. They may be, and often are, pasture lands—a certain amount of grass may still grow upon them, and, as far as my personal experience goes, that is the commonest case. In those cases the tenant asks for indemnification in consequence of the injury done to the land; but I think in this discussion we are going a little further than it is possible to go satisfactorily in dealing with the matter across this Table. It is a question, therefore, which I hope the right rev. Prelate will bring up at a future stage in the Standing Committee.

LORD HERSCHELL: There is a point on this clause to which I should desire to call your Lordships' attention in a word or two. Subject to the technical knowledge which will be at the command of the Government, the test here is the assessment to the purposes of Schedule B. Under Schedule B there are certain provisions that the assessment shall be abated in any year, if owing to floods or other disaster the crops have been injured or destroyed. Notwithstanding the abatement of the assessment, of course it may happen that the rent has not been to anything like the same extent obtained as the amount to which the assessment goes. We will suppose the landlord gets his full rent. There will be no reason why, because of the abatement, the tithe owner should be deprived of his tithe. I do not know whether that abatement is actually entered in the book for that year, and whether then you go back to the old assessment, supposing that to be the case. But I think that would have to be looked into carefully to see whether you can apply to each year the particular assessment for that year, or whether it is not intended to be taken at the general assessment, which lasts, of course, for five years. I really do not know what is the practice followed. It may be there is nothing in the point, but I think it needs to be considered.

Clause, as amended, agreed to.

Clause 6.

*THE EARL OF SELBORNE: It may be that it is not very important, but there is a suggestion which occurs to me upon this clause—I may be wrong—which would remove any objection to the definition under the Commutation Act. The Tithe Commutation Act has stated shortly the definition of owner thus, that it includes "every person who shall be in the actual possession or receipt of the rents of profits of any lands except," and so on. Then the exceptions are, tenants for lives or years holding under lease or agreement on which a rent of not less than two-thirds of the clear yearly value is reserved, and all tenants whatsoever holding for less than 14 years, reckoned from the commencement of their term. Then it goes on to say that in the excepted cases, that is to say, of tenancies for more than 14 years, at less than two-thirds of the annual value of the land, the tenants and the landlords are to be joint owners. Now there is this difficulty arising upon that. If, for example, a lease of 21 years is granted at a reserved rent of two-thirds of the annual value, but an amount abundantly sufficient to pay the rent-charge, it cannot be intended that the remedy is to be against the lessee as well as the owner. What I would suggest for the purpose of removing the difficulty arising out of that part of the definition would be this, to add to the words at line 16, after the words "Tithe Act, 1836"—

> "And when the occupier is a tenant holding under a lease or agreement the landlord shall be deemed to be the owner for the purpose of this Act."

I do not think it can be intended in those cases to make both the landlord and the tenant owners for the purpose of the Act, and yet they are made joint owners by the definition in the Act of 1836. If the noble Marquess thinks that is a matter which had better be reserved for the Standing Committee, I should entirely acquiesce.

THE MARQUESS OF SALISBURY: As this raises a very difficult question of construction I think it would be much better if the noble and learned Lord would bring it before the Standing Committee.

*THE EARL OF SELBORNE: Then, my Lords, I have another Amendment, which, at all events, can do no harm.

Amendment moved, in Sub-section 2, page 6, line 15, after ("case") to insert ("unless the context otherwise requires.")—(*The Earl of Selborne.*)

Amendment agreed to.

Clause, as amended, agreed to.

Clause 7.

*LORD BRABOURNE: I do not know whether the noble Marquess will regard this Amendment of mine with more favour than the last. It is simply to this effect: that the payments to be made up to Michaelmas shall be carried on under the present law until the next year's tithe begins. I move to substitute the words "11th day of October, 1891," for "passing of the Act." I think that would be a convenient time after Michaelmas Day when rent and tithe become due, and would give landlords and tenants, whose annual agreements had terminated at Michaelmas, the opportunity of making some arrangement with reference to the new law. It appears to me a reasonable Amendment, and I hope the noble Marquess will accept it. I will say no more.

The Earl of Selborne

Amendment moved, in page 6, line 34, to leave out the words ("the passing of this Act"), in order to insert the words ("11th day of October, 1891.")—(*The Lord Brabourne.*)

THE LORD CHANCELLOR: I cannot help thinking that an Amendment postponing the operation of the Bill until a particular date is very reasonable, and I had that in my mind when I referred to the proposal of the noble and learned Lord opposite with regard to intermediate proceedings. Whether this particular date should be accepted is another matter; but I do think that it is necessary that the Bill should not come into operation the moment it is passed, and that some qualfication should be accepted.

*THE EARL OF SELBORNE: It would be absolutely necessary to enable the Rules to be made that the Bill should, for that purpose at all events, come into operation immediately. I think, speaking from what I have heard, it is not desirable that the time should be postponed for any period so long as that which the noble Lord opposite suggests. Those persons who are chiefly affected by the mischief which the Bill is intended to cure are desirous that it should come into operation as soon as possible; and if any time is fixed, I should be inclined to think that as soon after the Rules can be satisfactorily framed would be best; the earlier the time that can be fixed the better.

*LORD BRABOURNE: That is not at all my view in moving the Amendment. What I mean is this: there are a vast number of agreements through the country from Michaelmas to Michaelmas. Why should you put people to a totally unnecessary inconvenience by altering their contracts which expire next Michaelmas? When rent becomes due tithe becomes due in most cases, and I think it is better to give the landlords the opportunity of arranging with their tenants, so that then they may be able to start afresh. How that can be effected by the necessity of certain Rules being adopted I do not understand. This Amendment is not directed against the Bill. I shall reserve what I have to say against the Bill itself for larger audiences and for those whose ecclesiastical sympathies are less developed than those of your Lordships.

LORD HERSCHELL: I think the Government should consider this point. Where you have a measure of this kind, by which you get rid of existing machinery and substitute an entirely new one, there will be a great tendency, if you postpone the day, on the part of certain persons to raise difficulties during the interval prior to the Bill coming into operation.

*LORD STANLEY OF ALDERLEY: I hope the Government will give more time before insisting upon the operation of the Act after it has been passed. A great number of people will not have had time to make arrangements with their tenants. I would suggest that instead of putting the 11th day of October that the 12th or 13th of November should be substituted, as that is the time fixed for giving notice to quit in some parts of North Wales.

THE MARQUESS OF SALISBURY: There seems to be a good deal of doubt on the subject. I do not know whether it ought to be fixed so soon after passing. When that will be must depend on the other House. I do not feel quite so sanguine about it as my noble and learned Friend, and I should feel inclined not to put in a precise date now, but to leave it to be fixed. I should deprecate its being fixed, seeing that the passing depends upon the state of business in the House of Commons. I think it would give rise to a considerable amount of discontent on the part of many if their rates were subjected to such a proviso.

*THE EARL OF KIMBERLEY: I am a little doubtful whether it is desirable to invite general negotiations between landlords and tenants throughout the country in reference to the particular date as proposed, the 11th October. I think many noble Lords might find themselves in a somewhat difficult position. At any time they like to make fresh contracts they can do so; but to fix the date of the 11th of October as the time when there shall be fresh agreements made throughout the country would be more likely to cause embarrassment than to facilitate what we all wish should be done.

THE MARQUESS OF SALISBURY: This is a Bill which will certainly alter the relative rights of a certain number of persons all over the country. Your Lordships may think there should be some kind of notice given as to when that is to take place, and that they should not have to wait for months until the date shall be fixed at which under the Bill their rights are to be turned upside down.

THE EARL OF KIMBERLEY: I would suggest that a date should be fixed when the Bill has reached the last stage in this House.

THE MARQUESS OF SALISBURY: On Third Reading.

Amendment (by leave of the Committee) withdrawn.

Verbal Amendments made.

*THE BISHOP OF LONDON: I wanted to ask a question which has been put to me by a great many clergymen with regard to the effect of the Bill in cases of tithe-rent issuing out of lands held by Railway Companies. They seem to think they will have no remedy in that case.

THE MARQUESS OF SALISBURY: Lands held by Railway Companies are not generally the subject of agricultural interests, and I do not think land of that description is very often held otherwise than by the owner as occupier. Therefore that case seems to me not to require special provision.

*THE BISHOP OF LONDON: If there is no tithe rent-charge issuing out of such lands held by Railway Companies this question would be superfluous; but if there is, why should not they be subject to the ordinary law? I do not know what the state of the law is with regard to that exactly.

THE MARQUESS OF SALISBURY: The Railway Companies are in each case governed by certain Acts of Parliament. When those Acts were passed the lands were subject to tithe, and the clergymen may have been paid off, or there may have been a rent-charge reserved to them on the railway. If that is the case, you will, I think, get into some confusion if you include in the Bill a matter so contrary to the ordinary provisions.

Clause, as amended, agreed to.

Clause 8 agreed to.

Schedule agreed to.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 46.)

House adjourned at twenty minutes before Eight o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 26th February, 1891.

EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1885, RAINEY SCHOOL, MAGHERAFELT.

ANSWER TO ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Lord ARTHUR HILL) reported Her Majesty's Answer to the humble Address of the 4th December last, as followeth:—

Gentlemen of the House of Commons,

I have received your Address praying that I will withhold my Consent from that part of the Scheme of the Educational Endowments (Ireland) Commissioners for the administration of the Endowment in Magherafelt, known as Rainey's School, in so far as the proposed composition of the Board of Governors is concerned.

I have directed the Address to be submitted to the Lord Lieutenant, with a view to its being acted on in pursuance of the Educational Endowments (Ireland) Act, 1885, Section 24.

COAL, CINDERS, &c.

Accounts ordered—

"Of the quantities of Coals, Cinders, and Patent Fuel shipped at the several ports of England, Scotland, and Ireland, coastways, to other Ports of the United Kingdom, in the year 1890;

"Of the quantities and declared value of Coals, Cinders, and Patent Fuel exported from the several Ports of England, Scotland, and Ireland, to Foreign Countries and the British Possessions Abroad in the year 1890, distinguishing the Countries to which the same were sent;

"Of the quantities of Coals, Cinders, and Patent Fuel exported from the United Kingdom in the year 1890;

"Of the quantities of Coals and Patent Fuel brought coastways, by inland navigation, and by Railway, into the Port of London during the year 1890;

"And of the quantities of Coal and Patent Fuel received coastways at the various Ports of the United Kingdom."—(*Sir Henry Hussey Vivian.*)

QUESTIONS.

OPIUM SMOKING IN BURMA.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been called to a pamphlet by Mr. Maurice Gregory, describing the ravages of opium smoking in Burma, wherein he states that there are 1,000 opium dens in the Akyab district instead of a single one, as officially reported; that he has seen large numbers of Burmese smoking, and that, in fact, the great bulk of the opium was consumed by them, although it is stated in Government documents that opium is not sold to the Burmese, but only to the Chinese and natives of India resident at Burma; whether he is aware that opium smoking is forbidden by the ancient Burmese laws and by the Buddhist religion; and that whereas, in the time of the late King of Upper Burma, Chinese opium vendors when caught were flogged and imprisoned, they now travel in first-class railway carriages, and are on terms of friendship with the highest English officials; and whether the Government will ask for information from Burma about the truth of these charges?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The attention of the Secretary of State has been called to the pamphlet. There is but one licensed opium shop in Akyab; and if information were given to the police of the others, they would be suppressed. Opium smoking was forbidden by former Burmese rulers, but the prohibition was much disregarded. Many of the statements in the pamphlet are, so far as the Secretary of State can test them, incorrect; but inquiry as to the facts alleged will be made from the Government of India.

THE BELSIZE COURT ESTATE.

MR. CRAVEN (York, W.R., Shipley): I beg to to ask the right hon. Member for the University of Oxford (Sir J. Mowbray), whether it has been with the consent of the Ecclesiastical Commissioners that the Dean and Chapter of Westminster, in granting leases on the Belsize Court estate, have inserted a clause prohibiting the erection of any chapel or meeting-house for any congregation dissenting from the Church of England as by law established, and also prohibiting the use of any tenement demised by such leases for any ecclesiastical or other purpose in connection with any church, sect, or body of people dissenting from the Church of England; whether it is the practice of the Ecclesiastical Commissioners to insert such prohibitions in leases issued by them; and, if only in certain cases, what cases; and if the Ecclesiastical Commissioners insert such prohibitions in any of their leases, do they do so in virtue of any statutory authority, or on their own responsibility only?

SIR J. MOWBRAY (Oxford University): The clause in question was found in the leases granted by the Dean and Chapter of Westminster previous to the surrender of their estates to the Commissioners. It will also be found in some leases granted by the Dean and Chapter, with consent of Commissioners, after the estates passed to the Commissioners. But in 1889 the existence of the clause having come to the knowledge of the Commissioners, they instructed their solicitors that no such clause should be inserted in future. It has not been the practice of the Commissioners to insert such prohibitions in leases issued by them.

*MR. LAWSON (St. Pancras, W.): May I ask the right hon. Gentleman whether the Commissioners continue to insist on the covenants in respect of the existing leases?

SIR J. MOWBRAY: Whether they will enforce the penalty?

*MR. LAWSON: Yes.

SIR J. MOWBRAY: I have no authority to speak for the Commissioners, but, seeing that the matter is one for their discretion, and that the enforcement of the covenant would be inconsistent with what has been done in regard to the leases of the last three years, I presume that they would not insist upon it.

SIR W. LAWSON (Cumberland, Cockermouth): Is there any clause in the leases prohibiting the erection of public-houses?

SIR J. MOWBRAY: Yes, there are.

SIR W. LAWSON: There are?

SIR J. MOWBRAY: Yes, Sir.

ROCHDALE HALF-TIMERS.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education, whether he is aware that in the town and district of Rochdale, when children are taken from a Board School for employment as half-timers, it is frequently the practice of their employers to insist that the children shall be taken from the school preferred by the parents, and sent to some other school selected by the employer, and most commonly of a denominational character; and whether parents who send their children into employment as half-timers thereby lose the right to the free choice of a school; and, if not, whether he can take any means to prevent the infraction of this right in Rochdale and the neighbourhood?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): So far as I am aware no complaint of the kind suggested has reached the Department, and I do not know of any practice in the matter calling for inteference. It is obvious that a parent's right to select a school cannot be affected by the fact that a child attends as a half-timer, but it may be the case that a school is sometimes maintained in connection with a factory in which a child is at work, and the child is expected to attend that school as a matter of convenience.

MR. PICTON: Is the right hon. Gentleman in a position to deny that a large firm, employing a considerable number of half-timers, is in the habit of insisting that they shall go to a particular school?

*SIR W. HART DYKE: The question of the hon. Gentleman is of too abstract a character. If he will put it more in the concrete, with the name of the firm and the school, I will make inquiry into the matter.

WARDER SCHOOLMASTERS.

MR. BEAUFOY (Lambeth, Kennington): I beg to ask the Secretary of State for the Home Department whether warder schoolmasters were engaged on the distinct understanding that they were to be exempted from sleeping in prison; and whether that privilege has been withdrawn; and, if so, on what grounds?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Chairman of the Prison Board that out of 71 schoolmaster warders all but two were engaged as ordinary warders, and have received extra pay for doing schoolmaster's duty. These warders have been exempted from their turn of night duty, because that unfitted them for their schooling duties next day. This exemption has not been withdrawn. There was nothing in the terms of their engagement or in the nature of their duties to exempt them from sleeping in prison in turn with other warders.

*MR. BEAUFOY: Is it not the fact that a fresh Order was issued on the 31st December, 1890, which practically abolished certain privileges which the warder schoolmasters used to enjoy?

MR. MATTHEWS: I believe the fact is that some of the Governors of prisons misunderstood the Order, and in that respect there has been an alteration in the action of the Government.

ETHER AS AN INTOXICANT.

SIR LYON PLAYFAIR (Leeds, S.): I beg to ask the Chancellor of the Exchequer whether he will lay upon the Table, or supply to the Select Committee on British and Foreign Spirits, the Report made to the Government on the use of ether as an intoxicant in Ireland?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There will be no objection to lay this Report on the Table.

ALLEGED INADEQUATE PUNISHMENT.

MR. S. SMITH: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Luke Cunningham, who was charged on Saturday at the Preston Police Court with a series of brutal assaults upon Bridget Connor, aged 13 years; whether he is aware that it was proved that he threw a poker at her, and it struck her on the forehead, causing a painful wound; that he fastened a strap round the girl's neck, and hung her up in the kitchen for several minutes to a nail in the ceiling; and that the prisoner was sent to gaol for three calendar months, with hard labour; and whether he will inquire of the Police Magistrate what were the reasons which led him to inflict so short a term of imprisonment for such an offence?

MR. MATTHEWS: I am informed by the Justices that Luke Cunningham was charged on Saturday at the Preston Police Court not with a series of assaults upon the girl Bridget Connor, but with one assault on the 14th inst., namely, having thrown a poker at the girl, and struck her near the left eye, causing, according to the evidence of the doctor, a small bruise and a contused wound of a superficial nature. No other charge than that of the 14th inst. was preferred by the girl, who was represented by a solicitor. In answer to inquiries of the Justices, the solicitor stated that about a week before Cunningham had put a strap round the girl's neck, and hung her to the ceiling. There were no marks on the girl's neck, and her mother stated that Cunningham only kept her up for a minute, and did it to frighten the girl for stopping out late at night. The mother also stated that Cunningham had been a good father to the children, that he had not intended to hit the girl with the poker, and that he was the worse for drink at the time. The Justices, who were unanimous in their decision, thought the ends of justice would be met by the sentence passed by them for the assault on the 14th inst.

INTEMPERANCE IN WEST AFRICA.

MR. S. SMITH: I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to a letter in the *Daily Graphic* of February 11th, wherein a contrast is drawn between British rule in West Africa and French rule at Senegal, stating that the native population in Gambia and Sierra Leone is degraded through intemperance, and that since falling under British rule the people have sunk to such a depth of depravity that with many of them marriage rites have been given up; whether the prison is 43 times greater than that belonging to the French territory in St. Louis, which has a greater population than Freetown; and whether he will direct inquiry to be made as to the state of affairs?

SIR J. GORST (for Baron H. de WORMS): The letter referred to contains serious misrepresentations, and is not worthy of credit. There has been a great decrease of crime at the Gambia and Sierra Leone during the past six years, and Her Majesty's Government have received no information indicating that there has been an abandonment of marriage rights. At the Gambia about one quarter, and at Sierra Leone about two-fifths only, of the population are Christians. As regards the second paragraph of the question, in a tropical climate the provision of a large amount of cubic space for each prisoner is not a defect in a gaol. As regards the last paragraph, Her Majesty's Government do not perceive any necessity for a special inquiry into these matters at the present time. The Local Government looks carefully after the welfare and order of the people.

CROFTER FAIR RENTS.

DR. CLARK (Caithness): I beg to ask the Lord Advocate whether it is the case that applications were sent in several years ago for the fixing of fair rents in the parishes of Saddell and Skipness, but no sitting of the Commission has been held in the district; whether one of the crofters applying from this district, has had his case taken to the Court of Session and remitted by that Court to the Commission; and whether the Secretary for Scotland will send a section of the Commission to this district at an early date?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Secretary for Scotland informs me that he understands that one application from the united parishes of Saddell and Skipness to have a fair rent fixed was received by the Crofter Commissioners in 1889, and was considered by them and dismissed in June of that year. No other applications have been received except ten, all of which have been lodged since February, 1890. None of these appear to be of a very urgent nature, and it is not proposed at present that the Commissioners should make an early visit to the parishes—other districts having a stronger claim on their attention. With regard to the second paragraph of the question, the Secretary for Scotland is not aware that any case from Saddell and Skipness has been remitted by the Court of Session to the Commission. The man whose application for a fair rent was dismissed in June, 1889, raised an action in the Court of Session against his landlord, but it was dismissed as irrelevant.

THE CROFTERS' COMMISSION.

DR. CLARK: I beg to ask the Lord Advocate when the Report of the Crofters' Commission will be in the hands of Members?

*MR. J. P. B. ROBERTSON: The Report is now, I am informed, in the printer's hands, so I hope it will be available for Members before very long. Considering, however, the nature of the Report, and the large amount of figures involved, it would be unwise to hasten its progress through the Press unduly.

THE LATE DUKE OF BEDFORD.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether under "The Coroners' Act, 1887," upon being informed of such a death as that of the late Duke of Bedford, the Coroner's public duty was, as soon as practicable, to issue his warrant summoning a jury; whether, under the 19th section of this Act, a juror is liable to a fine of £5 for non-attendance, and if it is a general custom of London Coroners to issue their warrants so as to enable the summonses to be served upon the jurors as a rule the day before the inquest, and in all cases to give them ample notice; and whether he will ascertain from the Coroner and state the day and hour when and by whom the Coroner was informed of the death, the day, and hour of his issuing his warrant summoning a jury, and of the service of the summonses upon the jurors, and the number of summonses issued, and the name or names by which the deceased was described in such warrant and in such summonses, and by whom such name or names were furnished to him?

MR. MATTHEWS: I am informed by the Coroner that he is not aware that the general custom of the London Coroners is as stated. It is not the custom in his district. The death was reported to the Coroner between 10 and 11 p.m. on the 14th of January. The warrant to summon a jury was issued by him the next day as soon as he came to his office, between 11 and 12. The service of the summons on the jurors was during the same afternoon. The Coroner's officer made out 13 or 14 summonses, according to the usual practice. The case was reported by the doctors to the Coroner by the name of Francis Charles Hastings Russell, and by the title or occupation "Duke of Bedford." He gave the name and title to the officer next day. The form of warrant is signed by the Coroner, and filled up by the officer. The officer filled up the summonses in the name of Russell, giving the initial "F." The Coroner gave no directions to the officer as to the manner of filling up the warrant or the summonses, which was done in the usual way. The title and description of the deceased person has never been given in the warrant so far as the experience of the Coroner goes.

Mr. COBB: Do I understand the right hon. Gentleman to say that in the warrant the deceased was described by the name of Russell?

Mr. MATTHEWS: I so understand, from the Coroner's letter.

TELEGRAPHIC COMMUNICATION AT FRESSINGFIELD.

Mr. F. S. STEVENSON (Suffolk, Eye): I beg to ask the Postmaster General whether his attention has been called to the serious inconvenience caused to the inhabitants of Fressingfield and the neighbouring parishes owing to the absence of telegraphic communication; whether he is aware that Fressingfield has a population of more than 1,200 inhabitants, that the adjoining parishes are also large, and the nearest telegraph offices are Harleston, which is 4½ miles from Fressingfield, and Stradbroke, which is situated at a distance of 4 miles; and whether he will consent to the establishment of a Telegraph Office at Fressingfield in conjunction with the existing Post Office?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): In reply to the hon. Member, I have to say that certain of the inhabitants of Fressingfield have recently undertaken to enter into a guarantee for a Telegraph Office there; that the deed of arrangement is now in their hands for signature; and that if the deed be duly executed the extension can be carried out early nex financial year.

Mr. F. S. STEVENSON: This is the case of a large parish occupying an important position. Is it necessary to go through the formality of a guarantee before establishing a telegraph service?

*Mr. RAIKES: Yes, Sir; that is the universal practice.

TELEGRAPHISTS ON BANK HOLIDAYS.

Mr. WALLACE (Edinburgh, E.): I beg to ask the Postmaster General whether it is now a regulation of the Telegraph Department,

> "That all telegraphists who are called upon to work on the four Bank Holidays shall, if it be impossible to give them another holiday in lieu thereof, be entitled to receive their ordinary pay on each holiday, plus extra pay at the same rate for the work performed;"

and whether he will say which are the four Bank Holidays contemplated by the regulation in its application to Scotland?

*Mr. RAIKES: The regulation referred to by the hon. Member applies to Post Office servants generally (including telegraphists) in England and Wales. As the Statutory Bank Holidays in Scotland are different from those in England, I am considering to which days the regulation shall there be applied, so that the privilege accorded in Scotland may not be less than is enjoyed in the rest of the United Kingdom.

THE TELEGRAPH SUPERVISING CLASSES.

Mr. WALLACE: I beg to ask the Postmaster General whether the scheme of revised scales of pay in the telegraph supervising classes, which he intimated last year, has been put in operation at Liverpool, Manchester, Glasgow, Leeds, Newcastle, and other places; and whether it is proposed to extend this scheme to Edinburgh at an early date; and, if so, whether the scheme will be ante-dated to the time when it was given effect to at the other large offices?

*Mr. RAIKES: In reply to the hon. Member I have to state that the Treasury has sanctioned the scheme referred to at the places enumerated. Certain questions have, however, been raised in connection with the scheme, which have led to a delay in carrying it out at other offices. I trust I may be able to remove these difficulties and obtain authority to carry it into effect at every large office. The suggestion made by the hon. Member in the last paragraph of his question is rather one for the consideration of the Treasury.

INTERNATIONAL TRIBUNALS IN EGYPT.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for Foreign Affairs if steps are now being taken to continue for a further period the International Tribunals in Egypt; whether these tribunals have hitherto had authority, in every case in which a European wishes to sue a native, to cite that native from the most distant parts of the country to appear before these expensive tribunals at Cairo and Alexandria, and defend the suit there; and whether, in view of the recent arrangement for European supervision and control of the Egyptian Courts, Her Majesty's Government will now decline to continue to the International Courts an oppressive jurisdiction over natives which was always refused to Her Majesty's Supreme Courts in India?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): (1) No. The existing period does not expire till February 1, 1894. (2) Besides the Courts at Cairo and Alexandretta there is at Mansourah a "Délégation Judiciaire Permanente." The tribunals at those three places are the only Courts in Egypt for trying civil cases between natives and foreigners. (3) The native Courts could not try such cases without the consent of Foreign Powers, and if the system of the Mixed Tribunals came to an end Consular Jurisdiction under the Capitulations would revive.

SIR G. CAMPBELL: Would the Consular Jurisdiction extend to the natives of the country?

*SIR J. FERGUSSON: I apprehend that it would in certain cases.

THE SAVINGS BANK DEPARTMENT.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General if it is the fact that in the Savings Bank Department during the year 1890 the total amount of overtime performed by the male staff (numbering 531) was about 268,000 hours' work (overtime worked by the hour amounting to about 106,500 hours, and overtime worked by the piece amounting to a sum of about £6,740, equivalent to about 161,500 hours); whether 268,000 hours of overtime are equivalent to the normal working hours of a staff of about 129 men; whether permanent overtime is only necessary during the first three months of every year; whether overtime (including timework and piecework) performed during the last nine months of 1890 amounted to about 90,000 hours' work, which is equivalent to the normal working hours of an additional staff of about 65 men during that period; and whether he intends to increase the permanent staff of the Savings Bank Department?

*MR. RAIKES: The figures quoted by the noble Lord appear to be substantially correct. The difficult question of the mode of providing for the heavy pressure of work which occurs in the Savings Bank between the 1st January and the 1st May in each year is engaging my attention, and it will be my endeavour to make such arrangements for next year as will enable me to largely curtail the amount of extra duty to be performed. I am not prepared at present to make any statement as to the nature of the arrangement I may ultimately decide upon.

EARL COMPTON: Is it likely that a decision will be arrived at before the Post Office Estimates are taken?

*MR. RAIKES: I am not quite sure when the Post Office Estimates will be taken, but I have no doubt that I shall be able to arrive at a conclusion after I have consulted the Treasury.

FEMALE FACTORY INSPECTORS.

MR. LENG (Dundee): I beg to ask the Secretary of State for the Home Department whether he has any power at present to appoint female Inspectors of factories and workshops; and, if not, whether he will consider the expediency of acquiring such power, in view of the Return issued by the Home Office in July last, showing that out of 1,084,361 persons employed in mills and factories in the United Kingdom as many as 656,549 are females; and there are important sanitary and other matters respecting which female workers would prefer to communicate withn Inspectors of their own sex?

Mr. MATTHEWS: Yes, Sir; the existing Act gives me the power to appoint female Inspectors in factories and workshops, but there are strong objections to its exercise on the grounds of administration, economy, and practicability. I cannot in the space of an answer to a question explain these objections. I shall be happy to discuss the matter with the hon. Member, but I may may point out that by the Bill now before the House the sanitary supervision of workshops will be made over to the Local Authorities.

LIGHTS ON PUBLIC CARRIAGES.

Mr. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department what are the powers and regulations of the police in the Metropolis, in respect to the carrying of lights after dark by public carriages, especially omnibuses; whether there are any in respect of private vehicles; and whether any special order is issued for the winter months or for foggy weather?

Mr. CAVENDISH BENTINCK (Whitehaven): On the same subject I wish to ask the right hon. Gentleman whether, having regard to the great increase of heavy vehicular traffic in the streets of the Metropolis, he will, for the protection of the public, procure, either by regulation or legislation, that every vehicle traversing the streets after dark, or in dark weather, shall, under penalty of a fine, be compelled to carry an external light; and whether he is aware that the Postmaster General has issued an order whereby all vehicles employed in the Post Office service are compelled to carry an external light after dark?

Mr. HULSE (Salisbury): I beg to ask the Secretary of State for the Home Department whether he will consider the advisability of laying down a rule for the Metropolis that every vehicle after sunset and during a fog should be provided with a light in accordance with the invariable custom of other countries?

Mr. WILLIAM LOWTHER (Westmoreland, Appleby): I beg to ask the Secretary of State for the Home Department, whether there are now, or have been within the last 20 years, any police regulations obliging all vehicles, circulating in the streets of the Metropolis, to be supplied with lights after sunset?

Mr. MATTHEWS: In reply to these various questions, I have to say that Section 14 of 16 and 17 Vic., cap. 33, provides for lamps being placed inside metropolitan stage carriages by proprietors and kept lighted by conductors or drivers between sunset and sunrise. The Commissioner's Order as to this is as follows:—

> "The police are to observe and report all stage carriages travelling after dark without being lighted by a lamp inside."

The Secretary of State has power, under 32 and 33 Vic., cap. 115, section 9, to prescribe the times during which hackney carriages when plying for hire shall be provided with a lamp. No order has ever been made under this section. The matter has been carefully considered by my predecessors on more than one occasion, and in their opinion cogent reasons have existed for not acting upon this section. I beg to refer my hon. Friends to an answer given in this House by Mr. Secretary Bruce in 1870. I have, however, requested the Commissioner of Police to reconsider this question, together with the whole question of traffic regulation, upon which he is preparing suggestions. At present the police have no power to deal with private vehicles. Legislation would be necessary.

*Mr. LAWSON: Will the right hon. Gentleman lay the Report of the Commissioner of Police upon the Table of the House?

Mr. MATTHEWS: Yes, Sir.

STREET ACCIDENTS.

Mr. HULSE: I beg to ask the Secretary of State for the Home Department whether a small Committee of this House might be appointed to consider the Report of the Chief Commissioner of Police on Street Accidents when presented, and to consider what rules and regulations might be laid down for the safety of the lives and limbs of the inhabitants of the Metropolis?

Mr. MATTHEWS: As I have before stated, the Commissioner of Police, should he find on inquiry that his existing powers are insufficient, will shortly lay before me suggestions for securing more safety to the public. If legislation is found to be necessary the House will have an opportunity of discussing the matter fully in Committee of the whole House.

THE WHITECHAPEL MURDER.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the evidence of the police before the Coroner of East London at the inquiry regarding the death of Frances Coles on Friday last, from which it appears that the man Sadler was left outside the dock gates in a state of intoxication, such as to be thought unable to go on board his ship; that he was struck down and severely bruised in presence of or without remonstrance on the part of the police; and whether, if the man was drunk as described, he was entitled to protection; or, if not, to be taken into custody by the police?

MR. MATTHEWS: The Commissioner of Police informs me that he has only seen a newspaper account of the evidence, and there is nothing in that to bear out the allegation that Sadler was struck down and severely bruised in the presence of the police. The only constable who saw him at the dock gate considered that, although he had been drinking, he was not in such a state of intoxication as to warrant his being taken into custody.

MR. ESSLEMONT: Has the attention of the right hon. Gentleman been called to the fact that in the sworn evidence it is stated that this policeman was asked to turn away, and that he did go away 30 yards?

MR. MATTHEWS: No, Sir; I have not had a Report of such evidence, but I will make inquiry.

THE DURHAM EVICTIONS.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether he is aware that certain persons who have been brought to the county of Durham by the Marquess of Londonderry to assist in the evictions now being carried on on his property, having refused to take part in the evictions, have been detained by the police; whether he is aware that the persons who were engaged to carry out the furniture of the evicted tenants were prevented by the police from leaving when they desired to do so, and that they were hindered when at their lodgings from communicating with individuals with whom they wished to speak; whether he is aware that the police expelled by force the inmates from houses from which their furniture had been or was being removed; and would he state on what authority the police acted in this manner?

MR. MATTHEWS: I have received a Report from the Chief Constable only as to the first paragraph of the question. He informs me that the persons in question have not been detained by the police, and that those who wished to go have left. I have asked the Chief Constable to supply me with the other information asked for by the hon. Member.

THE CAMBRIDGE "SPINNING HOUSE" CASE.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department, whether the young person who was sentenced last week to 21 days' imprisonment at Cambridge, for leaving the "Spinning House," is still in confinement, or whether she has received a free pardon?

MR. MATTHEWS: I have communicated with the learned Judge, and he informs me that he sees no reason to doubt the propriety of the original committal to custody from which this girl escaped. Looking to the fact that her escape was mainly due to the negligence of the assistant matron, I have come to the conclusion that the remainder of her sentence may properly be remitted. I am in communication with persons of position at Cambridge, who will, I hope, do her real service and assist her to a different course of life.

MR. LABOUCHERE: Do I understand that this girl will be set at liberty at once?

MR. MATTHEWS: The order for her release will be issued to-morrow.

MR. LABOUCHERE: Am I to understand that the liberty of the girl will not be dependent upon her entering into any conditions?

MR. MATTHEWS: No, Sir.

OCCUPATION OF TOKAR.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign

Affairs whether the district of Tokar is situated in Egypt or in the Soudan; and if the latter, by what right the Egyptian Government claims authority over it, in view of the fact that it gave up absolutely all sovereignty over the whole of the Soudan with the exception of the Port of Suakin; and whether it is intended to organise a civil Egyptian Government in Tokar, and to maintain an Egyptian garrison there; and, if so, will he cause a map to be placed in the Tea Room, with the frontiers of the newly-annexed territory indicated thereon?

*SIR J. FERGUSSON: Tokar is in the Eastern Soudan. When Egypt, under the advice of Her Majesty's Government, withdrew its troops from the Soudan, it did not abandon the sovereignty of the country. An Egyptian garrison will be maintained in Tokar. There is no newly-annexed territory to be defined on a map.

MR. J. MORLEY (Newcastle-upon-Tyne): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government can lay Papers before Parliament containing the communications that have passed with the Government of the Khedive on the permanent occupation of Tokar and other places in the Soudan beyond Suakin?

*SIR J. FERGUSSON: Papers on the subject will be included in an early issue.

MR. J. MORLEY: Has the permanent occupation of Tokar received the assent of Her Majesty's Government?

*SIR J. FERGUSSON: I stated the other night in answer to a question by the right hon. Gentleman that no final Resolution has been come to, but that there is every reason to believe that the occupation of Tokar will be permanent.

MR. J. MORLEY: The right hon. Gentleman stated the other night, in answer to a question from me, that nothing had yet been settled. All I want to know is whether a decision permanently to occupy Tokar has received the assent of Her Majesty's Government?

*SIR J. FERGUSSON: The matter stands in the same position now. No final decision has been come to, but the circumstances remain as they were then described.

Mr. Labouchere

ALLOTMENTS.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the President of the Board of Agriculture, if he is aware that, under an enclosure award, 17 acres of land were vested in the churchwardens and overseers of the parish of St. Margaret's, Leicester, for the purpose of allotments, and that such land is now let to an allotments society; and whether the select vestry of the parish have decided to apply to Parliament for powers to sell the said land for building purposes; and, if so, whether, in any Bill giving such powers, the Government will take care that provisions are inserted to compel the vestry, in case of sale, to secure other land equal or more in quantity and suitable as regards quality and situation for the purpose of allotments?

MR. PICTON: Is the right hon. Gentleman aware that the land in question is not charity land, but Corporate property, and that owing to the growth of manufactories around it the land is unfit for allotments? Is he aware that the land is intended to be sold not for ordinary building purposes, but for the erection of almshouses—on the principle of the greatest good of the greatest number?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): In answer to the question on the Paper, I have to say that the award referred to was not made under the Inclosure Acts, which are administered by the Board of Agriculture; and I am not aware of the circumstances relating to the allotment beyond what appears in a Bill which has been introduced in the House of Lords, under which powers are taken to sell the land in question for building purposes. The purposes for which it is intended to be sold are accurately described, I believe, by the hon. Member who has just sat down. I am quite in sympathy with the hon. Member for the Bordesley Division in his desire to maintain and promote the provision of allotments. The matter in question is not within the control of the Agricultural Department, but I will give it my attention with the view of securing that the advantages at present enjoyed by the inhabitants shall not be prejudiced by the Bill.

MR. JESSE COLLINGS: Will the right hon. Gentleman say in what Department rests the duty of securing the allotments which have been made under the award, and which have been enjoyed for a considerable number of years? Is there any security that such allotments may not be taken away for building purposes without granting an equivalent?

*MR. CHAPLIN: As the only danger with which the allotments in question are threatened appears to be from a Private Bill in the House of Lords, that is not a question, I think, which I can be expected to answer. It should be asked in another place.

BACCARAT.

MR. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of "Jenks *v.* Turpin," in which Mr. Justice Hawkins made the following statement with regard to baccarat playing—

> "It is a game of cards. It is a game of chance, and though, as in other things, experience and judgment may make one player or banker more successful than another, it would be a perversion of words to say that it was in any sense a game of mere skill. It is, therefore, in my opinion an unlawful game within the meaning of the Statute;"

and whether the Law Advisers of the Crown were aware of this case when they advised him that "baccarat" was not illegal?

MR. MATTHEWS: If the hon Member will read the judgment of Mr. Justice Hawkins in "Jenks *v.* Turpin," he will find that the Judge was careful to explain that playing at baccarat was an "unlawful gaming" within 17 and 18 Vict., 38, 4, because it was played in a house kept for playing at that game, and that was rendered illegal by statute. The case is familiar to the Law officers.

MR. MORTON: Will the right hon. Gentleman explain what is meant by a house kept for the purpose?

MR. MATTHEWS: The hon. Gentleman will find that fully explained in the judgment.

THE IMPERIAL DEFENCE ACT.

SIR WILLIAM HARCOURT (Derby): I beg to ask the Chancellor of the Exchequer whether, upon the Budget, he will lay upon the Table a Return showing what sums of money have been expended in each year (including the current financial year) under "The Imperial Defence Act, 1888," "The Naval Defence Act, 1889," "The Barracks Act, 1890," and stating in what manner the moneys so expended have been provided; also showing how the sum of £4,570,900, which was the estimated excess of the Army and Navy Expenditure for 1890-91 over the moneys which (as shown in Return, No. 200, 1890) has been provided, and how much debt is now outstanding in respect of moneys raised under the above-mentioned Acts; and also a statement of the sum which it is estimated will be required under the same Acts in the coming year, and the manner in which it is proposed to raise them?

*MR. GOSCHEN: Yes, Sir, I will in due time, in connection with the Budget, lay a Return upon the Table, showing the amounts expended in each year under the Imperial Defence Act, the Naval Defence Act, and the Barracks Act, how the moneys have been provided, and how much debt is outstanding in respect of these amounts. I shall also be able to state the sums estimated to be required under the same Acts in the coming year. I am not prepared to tie my hands by pledging myself to the exact manner in which these sums will be raised, but I shall be able to indicate generally the alternatives. I shall also take an opportunity of showing how any part of the estimated excess on the Army and Navy expenditure for 1890-91 was actually provided for.

SIR WILLIAM HARCOURT: As the right hon. Gentleman is in the habit, like his predecessors, of supplying a printed paper before the Budget Statement is made, will he supply this information on the morning or day before the Budget?

*MR. GOSCHEN: I will consider the matter.

TORPEDO GUNBOATS.

MR. S. SMITH: In the absence of the First Lord of the Admiralty, I will postpone until Monday my question whether any of the seven torpedo gunboats of the *Salamander* class have yet succeeded in doing their trial speed of 21 knots;

and whether the 18 torpedo gunboats, described as sister ships of the *Salamander*, and also stated to have a speed of 21 knots, are expected to realise that speed.

HOUSE OF LORDS PAPERS.

SIR G. TREVELYAN (Glasgow, Bridgeton): I beg to ask the Secretary to the Treasury whether the House of Lords would be willing to communicate to the authorities of this House the titles of Returns and Papers, relating to matters of public interest, which are printed by order of the House of Lords; and whether the titles of those Returns could be brought to the notice of Members of this House in the same manner as in the case of Returns printed by order of this House?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): Arrangements are being made under which a file of Lords Papers will be kept in the Vote Office for the convenience of hon. Members desiring to consult them, and any hon. Member requiring a copy of any particular Paper can receive it on notifying his desire to the clerk in the Vote Office. It would be neither convenient nor consistent with the regulations affecting the printing and distribution of Lords Papers to place their titles on the pink papers circulated with the Votes and Proceedings of this Honourable House; but I hope the arrangement above described will be found to fulfil the object which the right hon. Baronet has in view.

*SIR G. TREVELYAN: I think that the utmost has been done by the Treasury to secure this object. Might I ask whether House of Lords Bills may be included in the scheme?

SIR H. MAXWELL: I will consult the authorities.

INFLAMMABLE LIQUIDS BILLS.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the Secretary of State for the Home Department, whether, in view of the fact that very considerable alarm is felt by the distributors of mineral oil in many parts of the country at the provisions of the Inflammable Liquids Bill, he will consent to the Motion for the Second Reading of the Bill being postponed for two or three weeks, in order to allow time for a fuller consideration of its terms by the very large class of tradesmen upon whose trade the proposed restrictions would be placed?

MR. MATTHEWS: My hon. Friend is probably not aware that I have already twice stated, in reply to questions in this House, that a reasonable time will be allowed to lapse before the Second Reading of this Bill. I may add that if the House is pleased to read the Bill a second time I should propose to refer it to a Select Committee, before which the trade can be fully heard.

MR. J. KELLY; Does the right hon. Gentleman mean by a reasonable time, two or three weeks?

MR. MATTHEWS: Yes, Sir.

MR. J. ROWLANDS (Finsbury, E.): Is the Bill likely to be taken before Easter?

MR. MATTHEWS: My right hon. Friend the First Lord of the Treasury tells me it is doubtful.

MR. W. F. LAWRENCE (Liverpool, Abercromby): I beg to ask the Secretary of State for the Home Department whether, before proceeding with the Inflammable Liquids Bill, he will lay before the House Colonel Majendie's Report, and any statistics showing the number of fires attributable to inflammable liquids, the subject of the said Bill, and how they were occasioned?

MR. MATTHEWS: I have already stated in the House that the fires due to inflammable liquids are not reported to the Home Office, and I have not the materials for supplying the statistics asked for. I presume the hon. member refers to Colonel Majendie's Report of April 28th, 1890. That has already been presented to the House (C. 6,059, 1890).

TELEGRAPH IN THE ISLE OF SHEPPY.

MR. H. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Postmaster General whether he will cause the electric telegraph to be extended from Sheerness to the parish of Eastchurch, in the Isle of Sheppy, Kent?

*MR. RAIKES: In reply to the hon. Member, I am glad to say that I have arranged to have the telegraph extended to Eastchurch early in next financial year, as those who made application to me on the subject have already been informed. The extension cannot be carried out during the current financial year, as the whole of the money voted for works of this kind has been expended.

POST OFFICE SORTERS.

Mr. J. ROWLANDS: I beg to ask the Postmaster General whether, since the result of the inquiry by the Departmental Committee last year showed that there were 351 vacancies on the staff of the first-class sorters in London, he will state when it is intended to fill up these vacancies; and whether, in view of the fact that most of the officers who have been performing the duties of the first class for a considerable period have done so without any additional remuneration, the appointments to the first-class vacancies will take effect from the 25th of July last?

*Mr. RAIKES: In reply to the hon. Member's question, I hope that the appointments will be filled shortly. The promotions cannot, in any case, take effect from the date mentioned, as the additional appointments were not created until several months later.

SORTING CLERKS IN EDINBURGH AND DUBLIN.

Mr. J. ROWLANDS: I beg to ask the Postmaster General whether the postal staffs of the offices in Edinburgh and Dublin are now on an equality, as regards pay, with the telegraphists of those offices; whether their official designation has been changed to that of "Sorting Clerks"; and will he state whether similar alterations are to be made in the London offices; and, if so, when?

*Mr. RAIKES: To the first and second questions of the hon. Member the answer is in the affirmative. In reply to the third question, I have to state that it is not in contemplation to make similar alterations in London.

THE QUEEN'S BENCH DIVISION.

Mr. COBB: I beg to ask the First Lord of the Treasury whether he will ascertain from the Lord Chancellor if he is aware that dissatisfaction and regret exists among the members of the legal profession and the public as to the manner in which one of the Judges of the Queen's Bench Division is able to perform his duties, and that attention is being called to this subject in the legal newspapers; and whether any change is contemplated at an early date in the constitution of the Bench in that Division?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): The Lord Chancellor thinks that it would be going altogether beyond any province assigned to him by law if he were to assume such a disciplinary attitude towards Her Majesty's Judges as appears to be suggested by the hon. Member's question. If there is any matter of fact within his jurisdiction in relation to the Supreme Court as to which the hon. Member desires information, the Lord Chancellor would be very happy to give it; but in this case the question states neither any fact nor any person in relation to whom such information is desired.

*Mr. COBB: Am I to understand that the Lord Chancellor states that he is not aware that any dissatisfaction or regret exists amongst the members of the legal profession on the subject named in the question?

*Mr. W. H. SMITH: I think I am justified in saying that the Lord Chancellor has had no communication of the kind made to him.

ROYAL COMMISSION ON CAPITAL AND LABOUR.

Mr. SEXTON (Belfast, W.): I beg to ask the First Lord of the Treasury what provision is intended to be made in the constitution of the Royal Commission on the relations between employer and employed, and in the scope of the Inquiry, for taking cognisance of the special interests of Ireland?

Colonel WARING (Down, N.): I beg to ask the First Lord of the Treasury whether, in view of the fact that the proposed legislation with regard to Land Purchase in Ireland will seriously affect the position of agricultural labourers in Ireland and their relations to their employers in that portion of the United Kingdom, he will take steps to secure their effective representation on the proposed Royal Commission to inquire into the position of employers and employed?

*Mr. W. H. SMITH: The hon. Member for Belfast (Mr. Sexton) asks me whether provision will be made, and, if so, what arrangements will be made in the constitution of the Royal Commission for taking cognisance of the special interests of Ireland. I can only assure him and my hon. Friend behind me that the interests of the inhabitants of Ireland will be considered as well as the interests of every portion of Her Majesty's subjects in the United Kingdom in the arrangements for the constitution of this Commission, and instructions will be given to that effect; but I am quite unable at present, as the hon. Member will see, to go into the details of the question.

MR. CREMER (Shoreditch, Haggerston): Is it intended that the Inquiry shall only be prospective, or that it shall take into consideration the present state of things?

*MR. W. H. SMITH: It is intended to consider the whole question, in order to ascertain whether legislation is necessary.

COLONEL WARING: Will the scope of the Commission include agricultural labour?

*MR. W. H. SMITH: I do not understand that there is any reason why it should not, if there is disturbance in the relations between capital and labour in agriculture.

EARL COMPTON: Will the inquiry also include Government offices—for instance, the Post Office, where relations have been strained?

*MR. W. H. SMITH: I am not able to say.

MR. BROADHURST (Nottingham, W.): I beg to ask the First Lord of the Treasury whether, when he makes his promised statement to the House with regard to the Royal Commission on the Relations between Capital and Labour, he will be able to give an assurance that the scope of the Inquiry shall not be permitted to extend to, or in any way interfere with, the present legal rights and liberty of combination which the organised trades of the country possess?

*MR. W. H. SMITH: It is obvious that the Commission would not have the power to interfere with the present legal rights of combination of trades; but undoubtedly it will be the duty of the Commission to inquire into all the conditions under which the unfortunate disturbance of labour happened last year.

In answer to Mr. HOWELL (Bethnal Green, N.E.),

*MR. W. H. SMITH said: It is proposed to examine into the state of the facts and the conditions which exist; and, therefore, the Commission will consider whether any legislation may be wanted or not.

THE ROYAL IRISH CONSTABULARY.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if any money has been paid from the Constabulary Force Fund to defray the expenses of the Royal Irish Constabulary sports in Dublin; and, if so, to what amount; whether there was originally a special fund for the officers of the Royal Irish Constabulary, which was wound up; and, if so, upon what grounds were the Royal Irish Constabulary officers allowed to share in the benefits of the Force Fund, which was specially established for the men; and if, in the case of a constable of the Royal Irish Constabulary who joined the Force prior to 1883, the Force Fund allowance is stopped from his pay whether he consent or not?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The reply of the Constabulary authorities to the inquiry in the first paragraph of the question is in the negative. A private Friendly Society known as the Constabulary Officers' Widows Fund was at one time started by some of the officers, but not realising the expectations of its founders they wound it up. That fund was in no sense official, and had no connection with the Constabulary Force Fund. The latter fund was never confined to the men, but, on the contrary, the Acts of Parliament governing the fund made it imperative for the officers equally with the men to become subscribers to the fund, with the consequential right to receive grants therefrom. It is the case that all officers and men who joined the Force prior to 1883 are under statute obliged to be subscribers to the fund so long as they are actually serving with the Force. Upon retiring on pension the subscription becomes voluntary.

TARBERT DEMOCRATIC LABOUR FEDERATION.

MR. STACK (Kerry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why members of the Constabulary Force have watched for months past the meeting place of the Tarbert branch of the Irish Democratic Labour Federation, and for what reason, on Sunday the 1st instant, two men of the Force entered the room while the meeting was being held, refused to state their business or authority, declined to leave when called upon, challenged the members to put them out if they were able, and finally only left after having taken the names of all the members present; and whether these proceedings were authorised or are sanctioned by the Government?

MR. A. J. BALFOUR: The Constabulary authorities report that the two constables who were on duty had reason to suppose that an attempt was being made to hold a meeting of the late branch of the National League, which was suppressed in that district as an unlawful association; upon being told by the chairman that it was a meeting of the Labour Federation they left the room. The constables deny the remaining allegations in the question.

MR. SEXTON (Belfast, W.): If the only object was to take the names, why were they not taken without entering the room and disturbing the meeting?

MR. A. J. BALFOUR: I gather that that altogether is denied.

MR. SEXTON: In what form does the right hon. Gentleman desire to receive proof?

MR. A. J. BALFOUR: All I say is that the hon. Gentleman has been misinformed. If the hon. Gentleman wishes to ask any further question he had better put it on the Paper.

MR. SEXTON: I presume that the police have now ascertained that this was not a meeting of a suppressed branch of the National League?

THE 1ST MANCHESTER REGIMENT AT TIPPERARY.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Secretary of State for War whether he has received affidavits from John A. Drew, shopkeeper, Tipperary, John Tohy, and Henry John Lutman, declaring that on the evening of the 4th instant two private soldiers of the 1st Manchester Regiment, stationed at Tipperary, were ordered out of the house of John A. Drew by Sergeant O'Brien, and when at the door were placed under arrest and deprived of their belts by him; whether their offence was against a Regimental Order placing Mr. Carew's house "out of bounds;" has Mr. Carew's house been a well-conducted house, or have any charges ever been made against him for having broken the Licensing Law or any other law; and what is the reason for the above-mentioned Regimental Order?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Secretary of State has received the affidavits referred to. The offence of the men was against a Regimental Order placing Mr. Carew's house out of bounds, but the officer commanding states that they were not arrested, but were marched away with the picket to avoid a crowd of civilians. As already stated, the Secretary of State has no knowledge as to the conduct by Mr. Carew of his house; and, as the matter is one of military discipline, he again declines to call for explanation of an order which the officer commanding was fully competent in his discretion to make.

MR. J. O'CONNOR: I wish to know whether a similar order has been given in the case of any other public house in Tipperary; and, if not, why the house of Mr. Carew has been singled out? I also desire to know whether the right hon. Gentleman is aware that prosecutions have been entered into against persons for the offence known as boycotting in Tipperary?

MR. BRODRICK: I am not aware that any person or persons have been picked out in the way suggested by the hon. Member, and I cannot tell the hon. Member whether any other houses have been dealt with in the same manner, but if he desires I will inquire.

MR. J. O'CONNOR: I will put a further question on the Paper, and I will ask the right hon. Gentleman the Chief Secretary if he will be good enough to take the answer of the hon. Gentleman the Financial Secretary for War as a ground for putting the provisions of the Coercion Act into force against the colonel commanding this regiment, who has boycotted the house of Mr. Carew.

BELFAST STREET TRAMWAYS.

Mr. De COBAIN (Belfast, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Resident Magistrates for the City of Belfast, the Local Justices of the Peace who are members of the City Corporation, and also the officers and men of the Royal Irish Constabulary have free passes, or in some cases passes at a merely nominal rate, for travelling by the Belfast Street Tramway Company's cars, although the Magistrates thus privileged adjudicate upon cases in which the Tramway Company are concerned, and whether Magistrates are permitted to accept free passes from companies over whom they have judicial jurisdiction; and if he could furnish a statement of the number of prosecutions brought by the police force of Belfast against the Belfast Street Tramways Company for breaches of the city byelaws before and since the privilege of free travelling has been granted to the police?

Mr. A. J. BALFOUR: I am informed that neither the Resident Magistrates nor the officers of the Royal Irish Constabulary have free passes from the Belfast Street Tramways Company. They have the right of taking season tickets at the cost of one guinea a year. It appears that hitherto individual policemen, if travelling on the top of a tramcar, have not been charged. The Inspector General thinks this may be open to objection, and has ordered its discontinuance. I have no official information with regard to the Local Justices; but I understand that out of the 15 who are members of the Corporation, one only has a free pass, and that by reason of a courtesy shown by the Tramway Company to ex-Mayors. During the past five years the police have prosecuted tramway officials in 27 cases.

SEED SUPPLY (IRELAND) ACT.

Mr. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the provisions of the Seed Supply (Ireland) Act, that the Poor Law Guardians may not sell seed potatoes to labourers except upon the application of the occupying owner or the tenant, and upon his agreeing to pay the price of the seed so sold, is he aware that the strict enforcement of this provision will leave two-thirds of the labourers without any potato seed whatever; and will the Local Government Board, under these circumstances, issue instructions to Boards of Guardians to accept solvent security from the labourers for repayment of the price of seed? I also beg to ask the right hon. Gentleman if he can explain whether Colonel Spaight, in warning the Mallow Board of Guardians, on 20th instant, against any infringement of Section 5, Sub-section (2) of the Seed Supply (Ireland) Act, did so in his official capacity as Local Government Board Inspector; and can the Government suggest any course whereby the bulk of the agricultural labourers may be enabled to avail themselves of the provisions of the Act, so as to procure a supply of good seed in the coming Spring?

Mr. A. J. BALFOUR: The Local Government Board have no power to modify by any regulations that may issue the operations of an Act of Parliament. No doubt Colonel Spaight was acting in his official capacity in calling the attention of the Board of Guardians to the Act of Parliament under which they were proceeding. The Local Government Board have no authority to carry out the suggestion that solvent security should be accepted on behalf of labourers desirous of purchasing seed. But in cases where such security is offered, and when the fact is brought to my notice, I should most carefully consider the possibility of providing seed by other means than the Seed Supply Act.

PROSECUTION OF AN EMERGENCY MAN.

Sir T. ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Crown intends proceeding with the prosecution of the emergency man, Alexander Fitzpatrick, who was charged at the Castlebellingham Petty Sessions in November last with shooting at Lawrence Reilly?

Mr. A. J. BALFOUR: The man referred to is under bail for trial at next Assizes. Winter Assizes are intended for custody cases, and only under very exceptional circumstances would a bail case be tried there. There is nothing exceptional in the bail case now referred to.

MESSRS. DILLON AND O'BRIEN.

SIR T. ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Messrs. William O'Brien and John Dillon, having surrendered to the authorities, the Government intends to estreat their recognisances?

MR. A. J. BALFOUR: Yes, Sir; I believe so.

MR. SEXTON: May I ask the right hon. Gentleman on what principle the bails are to be estreated, the object of the bail having been secured by the voluntary surrender of the defendants?

MR. A. J. BALFOUR: I can hardly think that the object of taking bail was secured. The object of the bail was that the defendants were bound to appear on a certain day. They did not appear on that day; they did not appear until some months afterwards; the object of the bail was, therefore, defeated.

MR. SEXTON: Is not the substantial object of the bail secured now that the defendants are undergoing the sentence inflicted by the Court?

MR. A. J. BALFOUR: Surely, one of the objects was that they should come forward and stand their trial in the ordinary course. If you are going to allow every prisoner to appear exactly when and how he chooses, I think you will throw the whole course of judicial investigation into confusion.

IRISH DISTRESS.

MR. DEASY (Mayo, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the fact that great distress prevails in the districts of Kilmovee and Kilkelly, in the Swinford Union, he will direct that relief works be at once opened?

MR. A. J. BALFOUR: Careful attention has been given to the condition of the Kilmovee and Kilkelly Electoral Divisions. It is not considered necessary at present to open relief works in either Division. Works are about to be opened, however, in the adjoining Divisions of Brackloon and Kilbeagh for the relief of such destitute persons as are unable to work on the railway. Any persons who may be similarly circumstanced in Kilmovee and Kilkelly will, doubtless, be eligible for employment. The railway works are, of course, giving a large amount of employment to able-bodied labourers in Swinford Union.

MOUNT JEROME CEMETERY.

MR. MAHONY (Meath, N.): I beg to ask the Secretary to the Treasury whether he will take steps to have the statue of Thomas Davis, by Hogan, at present suffering from exposure to the weather at Mount Jerome Cemetery, removed to the new Science and Art Buildings, Dublin; and whether he is aware that it is the earnest wish of the members of the family of the late Mr. Thomas Davies, and of the original subscribers to the statue, that it should be so removed?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I made inquiry last year in answer to a question, and stated that the Science and Art Department were quite prepared to accept the statue. I will make further inquiry to see if there are any difficulties which can be overcome, and I will ask the hon. Gentleman to repeat the question on a later day.

MR. MAHONY: The right hon. Gentleman has not answered the last paragraph of the question.

MR. JACKSON: I have no direct information; but I have seen a letter, which would indicate that it is the wish of the family that the statue should be removed.

FACTORIES AND WORKSHOPS BILL.

MR. JOHNSTON (Belfast, S.): I beg to ask the Secretary of State for the Home Department whether the opinion of Mr. Cameron, for 15 years Inspector of Factories for Belfast, has been asked concerning the necessity of continuing the certifying surgeons under the Factories and Workshops Bill; and, if so, what is the opinion of the late Inspector?

MR. MATTHEWS: No, Sir; Mr. Cameron, who is still an Inspector, has not been asked for his opinion, and I am not in possession of his views.

PRIVATE BILL LEGISLATION.

*Mr. CAMPBELL - BANNERMAN (Stirling, &c.): I beg to ask the First Lord of the Treasury a question of which I have given the right hon. Gentleman private notice regarding the Scotch Private Bills Procedure Bill. It is whether, with a view to secure general agreement on the subject, Her Majesty's Government will be willing to re-consider their present proposals, and whether, instead of sending Scotch Bills to a Commission established in Scotland, they will be willing that such Bills should be referred to a Joint Committee of both Houses, with power to conduct an inquiry in Scotland; and further, whether, if that alternative is adopted, the necessity for legislation may not be avoided?

*Mr. W. H. SMITH: In reply to the right hon. Gentleman I have to say that the Government consider that the principle of the measure is that there should be a local inquiry with respect to those Bills. They have never attached importance to the constitution of the Commission, and I have already stated that they will be perfectly prepared to consider suggestions for a modification of the Commission, and there will be every disposition on the part of the Government to meet the views of the right hon. Gentleman, if it were practicable, that a Commission consisting of two Members of the House of Commons and two Members of the House of Lords should conduct this inquiry. But as to the further suggestion that the change might be effected by means of Standing Orders instead of by Bill, I am not satisfied that it would be practicable, and I have not had time to consider the suggestion which was made to me this morning. I will, however, communicate with the authorities of the other House and of this House as to the expediency of the course which the right hon. Gentleman suggests. But I am rather disposed to think that the better way would be to proceed by Bill.

*Mr. CAMPBELL-BANNERMAN: I do not wish to suggest that it would be desirable to withdraw the Bill. I only desire to point out that if it is unnecessary to proceed by legislation there will be a saving of time to the Government and the House.

*Mr. W. H. SMITH: I am obliged to the right hon. Gentleman.

*Mr. CAMPBELL - BANNERMAN: Will the right hon. Gentleman, in these circumstances, proceed with the nomination of the Select Committee?

*Mr. W. H. SMITH: I think it is only reasonable that the nomination of the Committee should be postponed for a few days.

FIGHTING IN CHILI.

Mr. E. SPENCER (West Bromwich): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any confirmatory news of the battle which the evening papers state to have been fought in Chili, on the 15th, 17th, and 18th inst., and of the fact also stated that no foreign residents have been killed, and that much loss of life and damage to property was avoided by the presence of the English warships *Warspite*, *Espiègle*, and *Pheasant*, under the command of Admiral Hotham?

*Sir J. FERGUSSON: The last official news received by Her Majesty's Government respecting Iquique is, I believe, up to the 20th inst., and is generally as regards affairs similar to those given in the paragraph which my hon. Friend showed to me. In the telegram which was from the naval Commander-in-Chief to the Admiralty there was no mention of the British or other foreign residents, from which I think it may be presumed that they have been unmolested. There has been also to-day a telegram from Her Majesty's Minister at Santiago, dated the 24th. The Commander-in-Chief will remain on the coast in the meantime for the protection of British interests.

ORDERS OF THE DAY.

FACTORIES AND WORKSHOPS BILL.

(No. 206.)

SECOND READING.

Order for Second Reading read.

*(4.30.) The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): In moving the Second Reading of this Bill, I do not think it will be necessary to detain the House at any length—firstly, because the subject has been discussed already on the

Bill of the right hon. and learned Gentleman the Member for Bury (Sir H. James); and, secondly, because the changes made by the Bill are changes of detail, and do not need lengthy Second Reading discussion. I will deal, in the first place, with the question of the sanitary provisions of this Bill. It is impossible to exaggerate the importance of provisions of this kind. There are three leading factors in the workman's life—his work, his wages, and his health. Unhappily, legislation can do but little with regard to the first two. It cannot alter or improve the quantity or the quality of the work, and it cannot otherwise than mischievously interfere with the question of wages. We have done much on the question of health, and we can do more. The question as to the sanitation of factories and workshops rests in a peculiar position. There have been for years provisions applicable, not merely to workshops and workplaces, but to houses and dwellings of every kind, and these are contained in the Public Health Act; and with the gradual improvement in that Act those provisions have been brought up to a higher level and improved from time to time. I think it is fair to say now that every house, whether workshop or not, factory or not, is tolerably secure from what I may call nuisances. There have been special provisions with regard to sanitation introduced in factories and workshops. Those provisions applied mainly to ventilation, to overcrowding, to cleanliness, to lime-washing, or the painting of the walls. The design and object of the Bill is to bring all workshops and all factories up to the same sanitary level, and to require the same conditions as to ventilation, overcrowding, lime-washing, and cleanliness to be applied to all kinds of workshops in which men alone, or women, children, and young persons, are employed, and with regard to which some, but not all, of what I may call the sanitary provisions apply. The Bill does not deal with what is commonly called domestic workshops. That is a point which does not, I know, satisfy some hon. members who take an interest in this subject; but there will be opportunity for discussion later. The President of the Local Government Board will before long lay before the House a Bill in which the public health provisions will be brought to a still higher level of improvement, and it occurs to me that the House may rest content with leaving what is called the domestic workshop—that is to say, the working man's home in which he works with the members of his family—subject to the provisions of the law of public health alone. It is obvious that in the domestic workshop you have not got the presence of the employer and the *employé.* You have the members of the same family, and, of course, it is possible that some ill-treatment may arise from a father to his child; but, I repeat, as far as the sanitary provisions are concerned, now that we are improving the law of public health, it seems to me that we may allow him and his family to work in a place which is sufficiently good, so far as sanitary conditions are concerned, for him and his family to live in. But that is a point which will be discussed in Committee. It is intended, therefore, to bring the law of public health as to workshops up to the level of the factory legislation. This is done by Clause 4, which enacts that every workshop, as defined by the principal Act (including any workshop conducted on the system of not employing any child, young person, or woman therein), shall be kept free from effluvia or other nuisance, and the Sanitary Authority is empowered, if it considers lime-washing, cleansing, or purifying necessary for the health of the persons employed, to give notice in writing to the owner or occupier to do it. If there is any failure on the part of the owner or occupier, he shall be liable to a fine not exceeding 10s. for every day of default, and the Sanitary Authority may cause the workshop to be lime-washed, cleansed, or purified, and may recover the expenses incurred. The only other subject with regard to the sanitary provisions of the Act is the authority who has to enforce them. At the present time the factories and certain workshops are under the sanitary inspection, to some extent, of the Factory Inspector. On the other hand, the Factory Inspector is obliged to call in the Local Authority in order to remedy anything that savours of a nuisance.

By this Bill I propose to leave the factories as they are, entirely under the existing Inspectors. The system works well, and it has been found that the inspection of Factory Inspectors, although they are not skilled officers of health, has been on the whole satisfactory, and agreeable to public opinion. Now that we are extending the sanitary provisions of the Factory Act to all workshops throughout the country, of whatever kind they may be, except the domestic workshop, so that every cobbler's shop, every blacksmith's shop, every tailor's shop in towns in the country will come under the provisions of the Sanitary Law, it seems to me to be foolish not to take advantage of the existing machinery provided by the Local Authorities; and the enforcement of the sanitary provisions, so far as workshops are concerned, is by this Bill given to the Local Authorities. The Local Authorities are already abundantly equipped. They have an officer of health, an Inspector of Nuisances, under the surveillance of the Local Government Board, which has large powers of control. The Bill of the President of the Local Government Board would still further strengthen those powers of control; and in the event of its turning out, in spite of those precautions, that the Local Authorities fell short of what they ought to do, I have by the 1st and 2nd clauses of this Bill taken what I may call dictatorial power—that is, power to send to any workshops, or class of workshops, in a particular part of the country where the conditions of the law of public health and the provisions of the Sanitary Act have not been enforced, a Factory Inspector, or any number of Inspectors, in order that they may visit those workshops and, as it were, sweep the Augean stable clean, and do so swiftly, without power of appeal, and without interfering with the ordinary jurisdiction of the Local Authorities. Those powers are intended to be used in such districts as came before the notice of the Sweating Committee. There are some minor matters in which we have adopted the recommendations of the Sweating Committee of the House of Lords. The Bill requires that notice of the opening of workshops —of men's workshops as well as of others—shall be given; and that a list of out-workers in any factory shall be kept, so that it may be seen where the work of that factory is prepared, and care may be taken that the sanitary conditions are enforced in the places where the out-workers perform their duties. But these provisions do not exhaust the whole matter. Gases, vapour, and impurities in workshops are already provided for; but the condition of temperature in workshops, which may be dangerous to health, is not provided for. It was suggested that it might be left to the Factory Inspectors to determine arbitrarily and finally what course should be adopted to remedy defective ventilation. I think that that is too arbitrary and despotic a power to give to the Factory Inspectors, who, though well-qualified men, are not men of science, and have not sufficient authority to determine such difficult questions as this. The machinery adopted by this Bill is contained in Clause 8, under which the Inspector has power, with regard to questions of ventilation, to suggest what he deems to be the proper requirements. But an appeal is given to a tribunal of arbitrators who are selected as specially competent to deal with the subject. This plan is not entirely new; but I have in Clause 8 considerably enlarged the scope of this scheme of arbitration with regard to sanitary requirements in a workshop. With regard to certain specific subjects, such as the proper fastening of grindstones and the fencing of vats in which hot liquids are contained, this system is adopted in the existing Factory Act; I think that an extension of this system is the most convenient course. The system is introduced on a large scale in the existing Coal Mine Regulations Act, where the most difficult questions of ventilation arise, and my experience at the Home Office teaches me that, on the whole, it works well. I have accordingly extended the provisions of Clause 8 not only to questions of ventilation, but also to any machinery or process used in a factory, and to the means of escape in case of fire. This is opening out a very large and considerable responsibility for the Executive in regard to the control of manufacturing and trade operations. I am not prepared to say myself that I am altogether in sympathy with legislation of that sort, though it has become of late more and more agreeable to this House. Such interference might possibly turn out mischievous, unless great discretion were used; but, on the other hand, in experience it has not been found to work unsatisfactorily in the very complicated industry of mining; and it may also be said that it is a far more convenient mode than that of constantly coming to Parliament for regulations in regard to a particular trade. Last year, or the year before, a very useful Act was passed with regard to steam-weaving in Lancashire, and to that Act a Schedule was appended laying down the temperature to be maintained in workshops. It may turn out that the provisions of that Schedule are unsatisfactory, and, if so, they can be set right by Clause 8 of this Bill, without any necessity for asking Parliament to pass a repealing Statute. I embark, however, upon this kind of legislation with some degree of hesitation and doubt; but I have introduced these provisions in the hope that they may be useful, and I hope that I have been frank with the House in stating the difficulties which I apprehend. I now pass to the very different subject of hours of employment. I make one change only to which I need draw the attention of the House. The House is aware that, at the present moment, in a workshop in which women only are employed, or in which women and men only are employed, the hours of labour for the women are 15, with 4½ hours taken out for meals, but with no other limitation. The effect of this provision is that it is impossible for the Inspector to tell whether or not the hours of employment for women are being enforced; and the change I introduce, though it seems simple, is practically a most effective one. It requires a specified period of 12 hours to be fixed by the employer, within which a specified hour and a half are to be allowed for meals; so that the hours of employment for women can at once be checked. But I have thought it better to allow the 12 hours to be taken in the same extended period as at present, because there are a great many women working in workshops of this sort, whose manner of life compels them to attend to their homes and families in the morning and to go to the workshop later in the day. I have thought it convenient, therefore, that they should be able to take their 12 hours at any time between 6 o'clock in the morning and 10 o'clock in the evening. Then as to the age at which employment may take place. I have observed allusions in connection with this Bill to the recommendations of the Berlin Conference. No doubt the recommendation of the bulk of the delegates at Berlin was in favour of raising the age at which employment should begin to 12 years, instead of leaving it at 10 as now. But anyone who looks at the deliberations of that Conference will see that what the delegates had in their minds was full employment in a factory such as exists in foreign countries. The only foreign country where our half-time system is known is, I believe, Denmark; and I find that the representative of Denmark, while this matter was under discussion at the Conference, pointed out the excellence of that system, and said that the age of full employment in Denmark did not arrive until 13 or 14 years. The law at present in this country is that a child can work only as a half-timer until he is 14, as a rule; but he can work full time at 13 if he obtains a certificate of proficiency under Section 26 of the existing Factory Acts. The hours of work a week in textile factories are for children 28 and for women 56; and in non-textile factories, for children 30 and for women 60. In the intervening years between leaving school and working as a full-timer the half-time is spent in the school. I am told—and it is the unanimous opinion of the Inspectors—that the health of the children on the half-time system is as good as, if not better than, that of those who spend their whole time in school; and it is also found that the education of the children is better. They are sharper and more intelligent, and they make equal progress in school with the full-timers. This system is, in fact, a combination of the technical education, which so many people desire nowadays, with the scholastic or literary education, and the mixture of the two sharpens the child's wits. In the judgment of the Education Department the half-time system is for the benefit of the children themselves. My hon. Friend (Sir W. Hart Dyke) approves of it, and the parents are vehemently in favour of it. A large number of parents whose children are at this moment employed in the factories of the North are of opinion that it would be in every way a loss if this system were done away with. I would ask the House to observe that while there is nothing further from my desire than to fall short of even an implied undertaking which we may be supposed to have given at Berlin, our proposition is better than that put forward at Berlin, which was that full employment should begin at the age of 12, and the work to which children were to be admitted at the *établissements industriels* would be of greater length than our full length of work in this country. For instance, in Belgium the number of hours of employment is 72 in the week; in Denmark, where the half-time system does prevail, the full period is 63 hours; in the Netherlands it is 66, and in Italy and Hungary 48. Therefore, if the recommendations of the Berlin delegates were followed to the letter, the consequence would be that a child of 12 might be employed in England to that number of hours without departing from the letter or the spirit of the recommendations of the delegates, whereas under our system he is at work a fewer number of hours up to the age of 13 or even 14. I may add that our delegates expressly reserved the half-time system. Mr. Scott said, when the proposal to fix 12 as the age for admission to industrial establishments was under discussion, that—

> "In the actual state of English legislation, which allows, under certain restrictions, the work of children between 10 and 12 years of age, he gives his approval to the proposal *ad referendum*"—

that is, subject to a reference to the Home Government. Sir, I have come very nearly to the end of that with which I need trouble the House. There is a small matter connected with holidays to which I may call the attention of the right hon. Gentleman the Member for Bury (Sir H. James). He proposes that notice of the occasional or extra half-holiday should be given on the 1st of January. I suggest that that is not necessary to the convenience of the workpeople, and would be inconvenient to carry out in practice; all that is required is that the notice shall be given sufficiently long beforehand, so as to allow the workmen to enjoy that holiday completely. I have, therefore, suggested that a fortnight's notice should be given, or, if necessary, it might be made three weeks. There is one other subject about which I should like to say a word, and that is the question of the initial certificate of fitness for employment. I notice that pressure is being brought to bear upon the House by the ordinary means, and what may be described as an agitation is being initiated on the subject; but I have not come to the decision at which I have arrived without considerable reflection and inquiry. I have received deputations on the subject, and have listened to the representations made to me both from employers and operatives. Nothing is clearer to my mind than that the provisions requiring a certificate of fitness on the entry of a child into a manufactory—not at any subsequent period nor during the continuance of the work, but on entering into it for the first time—have become a purely unmeaning form. Since the establishment of the Education Act a species of inquisition has been held into the age of every child and the ages are set forth, so that the certificate of the surgeon is unnecessary. I propose, however, that the certificates of birth of children shall be obtained for a nominal sum—a sum lower than the fee now charged. Both employers and operatives have told me that such a thing as a child being rejected as unfit for employment has not been known for years, the certificate being an initial step, only guarding against initial incapacity and not supervening incapacity. During the course of his employment the child may get ill, and yet no certificate is required, while the present practice gives considerable annoyance to the parents, and is an expense to the employers which, if it is unnecessary, they ought to be spared, the fees amounting to from £20 to £30 or £40 a year in connection with these certificates. This certificate I hold to be unnecessary, and I will tell the House why I have come to this conclusion. I do not say that you may trust to parental affection, though that is one safeguard not to be left out of sight. The next safeguard is the interest of the employer himself, who is not likely to pay wages to a child who is unable to do his work. The third safeguard is that no one of these children can be employed unless he is daily going to school, and in this way we have a constant check, as the child would not be able to attend work unless he was well enough to go through his school attendance. Lastly, I propose to keep the check contained in Section 29 of the existing Act, which gives a valuable safeguard in that it empowers the Inspector at any moment to call in a surgeon to say whether a child whose fitness for work is doubtful is or not fit for work. I do not complain of the action of the certifying surgeons in this matter. On the contrary, I fully sympathise with their complaints against this proposal; and if they have any claim to compensation I would recognise it cheerfully, but I trust that we shall continue their services in the matter of accidents, and in other matters as to which they can be of use, and I hope to be able by an adjustment of the fees in these respects to make the proposed changes, which they seem to view in a serious light, of less consequence to them than they think they will be. There are some minor Amendments in the Bill to which I need hardly refer.

SIR H. JAMES (Bury, Lancashire): The right hon. Gentleman has not dealt with the question of fire escape.

*MR. MATTHEWS: The Act comes into operation on the 1st of January, 1892. With regard to existing factory buildings, I propose to deal with them under Clause 8, and the question of what the means of escape from fire should be will have to be decided by arrangement or arbitration. In future buildings a second staircase, independent of the ordinary entrance, is required. The point as to whether the clauses dealing with these matters should be imperative must be decided in Committee. I do not know that there is anything more with which I need trouble the House. This is essentially a Bill of details, but I believe I have now mentioned all the changes of any importance, and I ask the House, if it is pleased to read the Bill a second time, to refer it to the Committee on Trade. I have no doubt that the Committee of Selection will take care that it shall be considered by persons who are cognisant of all the great industries affected by it, and also by persons who are in touch with the operative class and understand their wishes and desires. I again repeat the suggestion I made to my right hon. Friend the Member for Bury, when his Bill was under consideration. I have not put into this Bill the clauses which he suggests and which we discussed the other day, because it was too late for me to do so, and I would much rather that he himself undertook the task of proposing in the way he may consider best the clauses with regard to particulars of work for the purpose of ascertaining wages and a clause with regard to a half-hour for cleaning. It seems to me that the safest course is to leave these matters to be decided by the Standing Committee. I would also appeal to the hon. Member for Poplar (Mr. Sydney Buxton) to excuse me if I have not referred to his Bill in detail. I am conscious that he goes further than I do, but I would venture again to suggest that, though it is easy to devise clauses which are plausible and take the mind when you read them, and though the House is bound to extend its protection to the widest degree that real necessity demands when the health and welfare of children is in question, nothing can be more mischievous than to harass and hamper trade with minute regulations that are not imperatively necessary, and I have endeavoured to avoid that in this Bill. I beg now to move the Second Reading, and to express the hope that the measure may afterwards be referred to the Standing Committee on Trade.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Matthews.*)

*(5.15.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I think I may say with regard to the Bill introduced the other day by the right hon. Gentleman the Member for Bury, it was of a very limited scope, and dealt only with the aristocracy of labour, and entirely left out in the cold a large section of unskilled labour, which is less protected and less capable of protecting itself than any other labour. Now the Home Secretary presents a Bill which, although good as far as it goes, is guilty of many serious omissions, and I think, therefore, I am justified in rising to say a few words by way of criticism, though

it is not my desire to unnecessarily prolong the Debate. The House will agree that the time is ripe for taking the whole question of the protection of the workers in hand, and a good job ought to be made of it, so that Parliament may not be called upon to tinker at this great question again in a few years. I am not going to delay the House by arguing the question as to whether a considerable reform such as that proposed by the right hon. Gentleman and proposed by other Members is necessary in the Factory and Workshops Act. I think the Report we had on Sweating, and the practical experience and knowledge of every Member of the House, will suffice to enable us to decide that the time has arrived when this question ought to be dealt with. We have seen in the past the great advantages that have sprung from the Factory Acts. It has raised the condition and improved the position of a vast number of workers in the Kingdom, and what we desire chiefly in regard to any Amendment of that Act is this: not only further to improve the position of those persons, but by further legislation to bring under registration, inspection, and regulation a vast amount of labour which at present is outside the law and practically unregulated and uninspected. I think that one very good reason exists for a great extension of the Factory Acts to workshops and home work. It was proved before the Royal Commission that the result of carrying factory and workshop regulation down to a certain point, and no further, has been, that, to a large extent, work has been driven out of the regulated establishments and into places unregulated and uninspected. Therefore, the fair employer, the regulated and inspected employer, is placed at a disadvantage as compared with the unfair employer, who escapes observation, and is, therefore, able in many cases unduly to compete. This should not be so. The other day the House by Resolution declared that in its opinion, in reference to the question of Government contracts, the fair employer ought to be placed on an equal footing with the unfair employer, and what I ask in reference to this question of the regulation of workshops is, that those employers who desire to act well by those in their employ should be placed on a fair footing with those who, at present, being unregulated, are able to a large extent to carry on their work under conditions of economical insanitation. We desire to enlarge the net and to make the meshes smaller, so that all these employers may be brought under the eye of the law. I have heard this Bill described as a milk-and-water Bill, and certainly in some parts I do think the milk is rather thin; nevertheless, I congratulate the right hon. Gentleman in having introduced the Bill as far as it goes. I hope that when it is discussed in the Grand Committee he may be able to insert some provisions which are necessary to render it more complete, and that the Home Secretary may receive in a friendly spirit the proposals made on this side of the House. With regard to the sanitary provisions of the Bill, I think the measure will be most satisfactory in working. In the first place, it brings under the provisions of the Sanitary Act those places where men alone work; and, moreover, it brings within the purview of the law those workshops where women, or women and men work, and where children and young persons are not employed. With reference to matters of cleanliness, ventilation, over-crowding, and so on, it is, to my mind, a scandal that for all these years such places should have been exempt from the provisions of the Factory Acts. I congratulate the Home Secretary on his proposal to strengthen the provisions of the law with regard to Local Authorities, by giving summary powers to the Home Office Inspectors to take action where the Local Authorities neglect their duties. I wish I could think with the Home Secretary that it is only in a few cases that duties in regard to sanitary matters have been neglected. I am afraid the Local Authorities neglect their duties in very many cases; and I think they will be more likely to perform their duties when they know that, if they neglect them, the Home Office will have powers to enforce the regulations of the Act. I am pleased to see the improvements the right hon. Gentleman has introduced with regard to the employment of women, and which he has explained, but I regret that he should have thought it necessary to extend the limit of time up to 10 o'clock at night. I should have thought it would have been wise to have simplified the provisions of the law by making the hours in these workshops where women work the same as those now obtaining in non-textile factories; that is to say, the 12 hours to be either from 6 in the morning until 6 at night, or from 7 in the morning until 7 at night. There is another good point in the Bill to which the Home Secretary did not refer, namely, that for a period of four weeks after child-birth a woman should not be allowed to be employed in a factory. I am glad the Bill provides for the registration of workshops, although I do not think the provision in that respect is adequate, and I doubt whether the clause on the subject, unless amended, will have a very great effect. Finally, the Government propose a system of registration of outworkers. A proposal most excellent in itself, but falling far short in execution. And this is the first of those sins of omission that mark the Bill. The evidence given before the Lords' Committee on Sweating shows that domestic workshops and home work are at the bottom of the evils of the sweating system. The reason being that there is no responsible employer and no responsible owner of the premises; the work being done through a middleman, who has the unfortunate workmen entirely under his control without being responsible for the work they do. Now we do not desire to prohibit this home work; prohibition is not possible. But every one would desire, if possible, to restrict, to regulate, and to discourage it, for we believe it to be at the bottom of the sweating system. What we want chiefly is publicity, common knowledge as to where the work takes place, and who gives it out, and responsibility placed on the original employer. We want to trace out where the work goes to, and to make the employer a sort of sign-post in the matter, though he may be an unwilling sign-post. The only way to do this is by an effective system of registration of the names and addresses of all persons to whom work is given out. The Government admit in principle that that is the right way of dealing with the matter, but I do not think the details of their proposal are sufficiently thorough or sufficiently stringent. As I understand the Bill a register is to be kept by the employer who gives out the work to be done in domestic workshops or at home, but this register is to be open only to the Inspectors or the Sanitary Authorities. Now it does seem to me that in order to have a check on the accuracy of this Return, that the workers themselves, at all events, ought to have access to this register; for if they do not, I do not see how anyone is to say whether the register is correct or not. I think also that the accredited representatives of the workpeople — the Trades Union officials and others—ought to have access to the register. The Home Secretary will agree that it will be impossible for Inspectors, overworked and undermanned as they are and will be, even though their number is increased, to look out the addresses and inspect all the places where this work is carried on. If you are to attain success by this system of keeping a register, then undoubtedly you can best attain it by the aid of those vigilant watch dogs who represent the interests of the workers through the Trades Unions. The workmen themselves would make the best Inspectors to ascertain whether the premises are in a sanitary condition, whether there is any contagious disease in the district where the work is carried on, and whether there is compliance with the law. It seems to me no inconvenience would be caused, there would be no undue satisfying of curiosity simply, but information obtained that cannot be obtained in any other way. By throwing open the register to the workers and to their accredited representatives you would obtain the publicity you desire, and would be enabled to force employers if they would not do so on their own initiative, to have some regard to the conditions under which home work is carried on. But I understand the Home Secretary to say that he does not see his way, through the means of this register, to insist, so far as the Home Office is concerned, on these places being kept in a sanitary condition. I confess I should like to see the Bill go further, and declare that responsibility attaches to the employer who habitually gives out work, for the sanitary condition of the premises where the work is carried on, and provide a penalty against sending work to a place known to the employer to be in an insanitary condition. More important still. The employer should be prohibited, under penalty, from sending work to a place where a contagious disease—such as scarlet fever, for instance—is known to be raging. Nothing is more clear from the evidence given before the Lords' Committee than that the community, putting aside the risk to the individual workers, run the greatest risk from the spread of a contagious disease by means of home work being done in a place where disease is raging, the work going back to the factory, and thence to the consumer—the germs of disease with it. Without attaching responsibility to the employer, and with it a penalty, I do not see how this register will become of practical value; and I fear it will become a dead letter, and this important provision become inoperative. There is a further serious omission from the Bill. The right hon. Gentleman entirely excludes domestic workshops from the provision of his Bill; but I am glad to hear he thinks that is a matter which may be discussed in Grand Committee, and that he is open to the friendly reception of arguments for bringing these workshops within the scope of the Bill. We believe that these domestic workshops where members of a family, or nominally members of a family, work together, should be brought under some sort of inspection and regulation; but, so far as I can judge, the Bill does not deal with these matters at all, but leaves them entirely to the Sanitary Authorities. I would have these matters included in the duties of the Home Office Inspectors. We are, I suppose, all in favour of decentralisation in regard to these matters, but unfortunately in London—and I am afraid I am speaking almost entirely from a London point of view — in London our Sanitary Authorities are unreformed, and in many cases uninterested, and unintelligent; while the areas are so small that they are often unable to afford to engage sufficient or efficient sanitary officers. We know, from experience how local sanitary matters are neglected. The right hon. Gentleman tells us that the President of the Local Government Board is going to introduce reforms into this part of our local government; but we have waited long for District Councils in London, and I do not think that we should delay dealing with the evils of the sweating system until we get these District Boards. The suggestion on this point that I venture to throw out is one I put in the Bill which I have introduced, a Bill to which, of course, I must not now refer. Taking into account the vast number of small workshops in the East of London, would it not be possible to appoint a Special Commission to deal with this special part of the subject, which should undertake the office of searching into these matters and obtaining the registration of these domestic workshops and other places; and, having thus placed this matter on a proper basis, hand it over to the Home Office to be subsequently transferred to the Local Authority when reformed? Another point. I am very much surprised that the Home Secretary has not, in his Bill, dealt with the question of overcrowding. We could have wished that the Bill had contained some such provision as that to be found in the Bill of the right hon. Gentleman the Member for Bury (Sir H. James), for securing a minimum amount of cubical space for each individual worker in a factory or workshop. I know he said in the Debate upon the Bill of the right hon. Gentleman last week, that it is impossible to fix a hard and fast line to fit all circumstances, and nobody asks him to attempt to do that. But we have a minimum of cubical space fixed in relation to our elementary schools, for instance, and there is every reason why there should be a minimum in the case of factories and workshops. I believe there is already a non-official limit, recognised by the Home Office, of 250 cubic feet for each person with deductions for gas burners; why not have that inserted in an Act? I have, in reference to this Bill, endeavoured to show that, while the Bill does go a considerable way, there are considerable sins of omission. I have referred to the question of registration and inspection of home work and domestic workshops, overcrowding, and would add that there should be provision for greater publicity for those notices which are to be put in workshops. But there are two still more serious omissions, as to which I will only say a few words. I regret to find that the Home Secretary has not dealt in any way with the question of overtime. I refer not so much to the overtime in large factories, but to the overtime work in small factories and workshops. I think we all agree that it was not intended that this overtime was given in order to be so much work which the employer could take out of his workpeople; but it was given in order to render somewhat elastic the limit of the fixed hours of work. But it appears from the evidence before the Lords' Committee, that in too many cases this overtime is looked upon simply as so much additional time to be got out of the workers; and that is worked off day by day until the time allowed is expended, and is not used in the ordinary sense of overtime. I could have wished that the Home Secretary had seen his way to introduce some restriction, some regulation, so that the overtime should be used for a legitimate purpose, and not be simply so many hours added to the number of hours that may be worked in the year. But the final omission from the Bill is very astonishing, and the right hon. Gentleman himself alluded to it in an apologetic tone. He has not proposed anything to improve the conditions of the employment of children in factories and workshops. We certainly understood, not only from what happened at the Berlin Conference, but from the unanimous Report of the Royal Commission on Education, from the majority and the minority Reports, that the minimum age below which children may not be employed would be raised from 10 to 12, or at least from 10 to 11 years. The Home Secretary went into considerable detail upon this matter in his speech and endeavoured to prove two things: first, that the Berlin Conference did not know what they were talking about; and, secondly, that the system of sending children to work half time at 10 years of age was the very best possible thing for the children themselves. As to the last point, I rather wonder that, if he has satisfied himself of the enormous advantage of half time to the children, he did not propose to lower the limit of age to 8 or 9; for surely, if there is such a great advantage in 10 over 12, the advantage would be greater of 9 over 12. With regard to the proceedings at the Berlin Conference, I confess I could not follow the argument of the right hon. Gentleman. We certainly understood that at the Conference, the Representatives of this country supported the proposition that 12 years should be the minimum limit for employment. The Resolution arrived at by the Conference in relation to the regulation of child labour is clear in its terms that every child of either sex should be excluded from employment in factory or workshop until the age of 12, except in certain Southern countries, where the limit was placed at 10 years; and I find among the signatures the names of John E. Gorst, Charles Scott, and W. H. Houldsworth. We naturally expected to see this Resolution given effect to when factory legislation was proposed, and are greatly disappointed to find no reference to the matter in the Government Bill. The Government are pledged by this Resolution of the Berlin Conference, but they have ignored this as they have ignored the unanimous recommendation of the Royal Commission on Education. I must apologise for having carried my remarks to such length, but many details are necessarily included in the Bill. The Home Secretary says he is prepared to accept practical proposals, but he does not wish to harass the trade of the country, and in that view we all agree. In any proposal we may have to make for improving the position of the working classes, especially those in certain parts of London, we shall be influenced by no intention to harass trade, but with the intention rather of fostering trade and improving production by elevating the condition of the people; by getting industry out of the rut of home work and domestic workshops, and transferring it to large workshops and factories where it can be carried on, as we believe, under conditions more healthy, as well as more economical, better for trade generally, and certainly better for the workers.

(5.50.) MR. FIELDEN (Lancashire, S.E., Middleton): Since this Bill was introduced I have had the advantage of a visit to Lancashire, where I have heard the views of those engaged in the Lancashire cotton trade in reference to the measure before us. I may congratulate the right hon. Gentleman upon the manner in which it is received. It is declared to be a good Bill, though there are one or two objections entertained, and it may not be out of place if I just refer to these. Clause 1 deals with the same subject-matter as Clause 5 in the Bill introduced by the right hon. Gentleman the Member for Bury (Sir H. James), and I am advised that the latter clause is preferred as being more "understanded of the people" than Clause 1 in the Government Bill. This, I presume, is a matter of phraseology, pertinent to discussion in Committee. In reference to Clause 17—cessation from work—I am advised rightly or wrongly, I am myself unable to say—that one day is more than sufficient. Upon Clause 18—that a woman shall not be allowed to work at a factory within a month of giving birth to a child—I am strongly urged to support an Amendment making the period six weeks. There are other suggestions which have been made to me on points of detail, suggestions which no doubt are valuable as coming from practical men in the Lancashire cotton industry, and which may more properly be brought forward in Committee; but I may say that the feeling among both operatives and owners in my constituency is in favour of the Government measure.

*(5.55.) **Earl COMPTON** (York, W.R., Barnsley): In the speech of my hon. Friend the Member for Poplar (Mr. Buxton) most of the omissions from the Bill have been mentioned, and I agree with my hon. Friend in almost all that he said, except that I cannot join in congratulations to the Government upon their Bill. We had, in the evidence given before the Sweating Committee, a disclosure of some of the greatest evils that could exist in many branches of industry, and we had strong recommendations from that Committee. We waited many months—I do not say there was undue delay on the part of the Government, naturally they had to take some time for consideration—to find remedies proposed for the evils disclosed, and now we have in this Bill what I suppose, in the view of the Government, are the remedies to be provided by legislation. I am aware that the intention is that the Bill is to be submitted to a Standing Committee, and then the subject is to be threshed out; but again I assert that the Bill, as we have it before us, contains the view of Her Majesty's Government with regard to alterations in the Factory Act, to meet the evils brought before the Committee on "sweating." We have had from the Home Secretary a willingness expressed to look into any matter brought before the Standing Committee, and we shall have in the Bill, introduced by the right hon. Gentleman the Member for Bury a means at hand to strengthen the Bill of the Government; and we shall have, I hope, on that Committee men who will be prepared to proceed on the lines laid down by the hon. Member for Poplar, and still further strengthen this milk-and-water measure, upon which I cannot offer the Government any congratulations. The chief omission brought forward by my hon. Friend had reference to home work and domestic workshops, and as he spoke of the evils to be remedied I understand that some of our friends seemed to think that it would be unwise to attempt legislation affecting domestic workshops. But have they read the evidence given before the Committee? I will just mention three instances which scarcely need comment. In one room, 9ft. by 15ft., a man, his wife, and six children slept, and in the same room ten men worked; in another room ten men worked and a family of eight slept; in a third six people, men and women, slept and worked. Such cases as these will be left untouched by the right hon. Gentleman's Bill. We shall have, no doubt, a better system of inspection under the Bill. We shall have, I suppose, a large number of Inspectors appointed to look into the state of factories and workshops. I understand from the Home Secretary that we are to have a system of registration so that Inspectors may trace the work to the places where it is sent. I understand the right hon. Gentleman to say that Inspectors will be able to follow up the work given out by employers; but when they do thus follow it up, when they arrive at these unhealthy places where men, women, and children live, and sleep, and work, what will the Inspectors be able to do? So far as I can see they will not be able to do more than they have done in the past. At all events, I understand the Home Secretary has excluded altogether from his Bill domestic workshops and home work,

therefore I cannot see that Inspectors can do much in the matter. There will never be an adequate system of inspection until sub-Inspectors are appointed with trade training and knowledge. I believe that under Section 67 of the Act of 1878 the Secretary of State has power to appoint "clerks and servants" for the assistance of Inspectors. I do not know what "clerks and servants" means; I believe it refers to officials under the Inspector. I believe the Home Secretary has power to appoint, as well as Inspectors, men who have a practical knowledge of the trade to be inspected, and I had hoped that the right hon. Gentleman would tell us that he intended to take some such course. The Sweating Committee doubted whether it was practicable to have a division of responsibility, but as long as you have Inspectors with a knowledge of the trade, the sub-Inspectors should be distinctly under the Inspectors. Personally, I think the best system would be that the Trades-Unions should select two or three for the office, and that the Secretary of State should then make the selection. I had hoped, also, to hear something about women Inspectors, who are most necessary. I do not believe we shall have justice done to women workers who have been overworked to a horrible degree, particularly in London and other big towns, until we have women inspectors who are able to ferret out the true conditions under which they work. As to the horrible evils which exist in our large towns, I think the Home Secretary would do well to consider the suggestion of the hon. Member for Poplar. London and Glasgow and perhaps one or two other centres should be taken separately, and dealt with in a more drastic way; and I believe that a large body of the working classes of this country would acknowledge that to be a just way. We know that in a great many of our large towns the employers have done all they possibly can to ensure that their *employés* shall work under sanitary conditions. Then I had hoped that we were going to have from the Secretary of State a hint as regards "the dictatorial authority," I think he calls it. One of the recommendations of the Sweating Committee was that the various Departments of the Government which had in one way or another to deal with labour questions should be brought into closer relation with each other. I was hoping that the right hon. Gentleman, in introducing this Bill, would say that it was the intention of Her Majesty's Government to have a Minister to look after the labour question. I read the other day that the right hon. Gentleman (Sir J. Gorst) recommended at a political meeting that working men should insist upon the Government having a separate Minister to look after labour questions. I thought that perhaps a hint would be thrown out as to the intention of the Government in this direction. Perhaps another occasion will be embraced, though I should have thought that this was a proper one. With the hon. Member for Poplar, I regret that the question of the age of children has been omitted, that the question of overtime has been omitted, and that other essentials have been omitted from the Bill. I confess that if there were no prospect of amending it in Committee, or of its being strengthened in the Standing Committee by the Bill of the right hon. Member for Bury, I should have been impelled to move its rejection. I hope the Home Secretary will give way on a good many points in Committee, and I hope also that by the time the Bill comes back to the House of Commons it will, instead of being a miserable and inadequate measure to meet the evils under which people have suffered for so long a time, be strong as well as fair for both employer and employed.

*(6.20.) MR. BAUMANN (Camberwell, Peckham): Sir, as I drafted a Bill and introduced it to this House last year, containing several clauses which the Home Secretary has embodied without acknowledgment, and probably without consciousness, I hope I may be allowed to congratulate him upon the construction of this Bill, which will prevent some of the worst evils of the sweating system. It is, I think, a splendid Bill, reflecting great credit upon the Department from which it emanates, and it cannot fail to add to the reputation which the Home Secretary earned some years ago in connection with the Mines Regulation Act. Considering the complicated character of the principal Act, I think the drafters of this Bill deserve

to be congratulated on the simplicity of its arrangement. It is divided into two branches—the sanitary provisions, and the periods of employment. The sanitary provisions are excellent. The infamous Clause 61 in the principal Act disappears, and is repealed by this Bill, which provides that all workshops, whether they employ young persons and children or not, must be kept clean, sweet, and wholesome. As by another clause, notice of occupation of a workshop must be given to the Inspector. I am not without hope that all workshops will be brought under some kind of control. But I was sorry to hear that the domestic workshops are to be excluded from the purview of the Inspector. Some of the worst cases of sweating have been found among the domestic workshops. I cannot for the life of me see why, if a man chooses to employ in a workshop his sisters and his cousins and his aunts, he is to be allowed to poison them with bad air and foul drains.

MR. MATTHEWS: The Public Health Act can be applied to these shops.

*MR. BAUMANN: I shall be glad to learn that the Public Health Act will be sufficient, or that domestic workshops can be included in the operation of Clause 4. Then we come to the periods of employment and the hours of labour. I rejoice that under this Bill women are to be protected as women, and if it becomes law women employed in all workshops, except domestic workshops, will receive the protection of the 12 hours day, and I hope that will have the coincident effect of reducing the labour of men to 12 hours a day also. With regard to the employment of children, I am sorry that the Home Secretary has not given the *coup de grâce* to the alternate day system, which still lingers in some parts of the country. The alternate day system is not a good system even with the amount of rest that is allowed. For children to be at the disposal of their employers for 12 hours is too severe a strain on their young and tender frames, and moreover it must operate in such a way as to seriously intercept the course of their education. I, for one, should like to see all children made half-timers. But there is one other important branch of the subject with which I wish to deal. I allude to the question of overtime, which has already been touched upon by two hon. Gentlemen opposite. I regret that the right hon. Gentleman the Home Secretary has not dealt with that subject in a manner which we should all have been glad to have seen. It is true that he has introduced a very important clause by which the employer is bound to post a notice that he intends to work overtime before 8 o'clock on the evening on which the overtime is to be worked. That I regard as a most important clause, because according to the evidence before the Lords Sweating Committee what used to happen was this: the Inspector would catch the workpeople working overtime, and would say to the employer, "Have you posted your notice that overtime is to be worked?" The answer was always, "No; I have not posted it yet: I was just going to do so when you came in;" the fact being that if the Inspector had not looked in no notice of overtime would have been posted at all. But there is a much larger question of overtime dealt with in the principal Act than this. As the House is probably aware, the employers in certain trades are allowed to work their hands overtime for a period of 14 hours for so many days in the year. These trades were such as dealt with articles liable to be spoilt by the weather, and those which are subject to a sudden press of orders arising from what is called the season pressure. Those which were liable to season pressure were allowed to work overtime 48 days in the year, while those which dealt with perishable articles were allowed to work overtime 96 days a year. But in addition to the trades specified in the Schedule of the Act of 1878 as entitled to this indulgence in regard to overtime, it is provided that the Home Secretary may, at his discretion, grant an order of overtime to any trade or firm in either category. Now, Sir, I know, as a matter of fact, that the law as regards overtime is greatly abused and systematically violated in London. There is an enormous amount of overtime worked in London—not only in the sweating dens of the East End, but also in the fashionable shops at the West End—not only in Whitechapel, but in Bond Street. An important safeguard which was introduced into that Act provides that before issuing his order the Home Secretary shall satisfy himself that overtime is necessary, and also that it will not be injurious to the *employés.* Now, I want to know by what process of proof the right hon. Gentleman satisfies himself that overtime is necessary, and that it will not injure the *employés,* before he grants an overtime order? A well-known upholsterer in London told me that he always worked 96 days overtime in the year. I presume on the score that the chairs and other articles of furniture in his establishment are perishable articles. But I want to know by what process the Home Secretary satisfies himself that that upholsterer's chairs and tables are perishable articles, or that overtime would not be injurious to the *employés* in that establishment? I do not suggest that the right hon. Gentleman should endeavour to abolish overtime altogether, although I am not one of those who believe in its necessity. Indeed, I believe that if people would only be a little more humane and considerate in giving their orders to the shopkeepers, and, if instead of rushing into a shop and saying "I want a frock," or "I want a coat within three days" they would only order in the Autumn and Spring what they want for the Winter and Summer, what is called the season pressure might be avoided, and the work might be spread over a much larger portion of the year. What I want to impress on the Home Secretary, and what I intend, if necessary, to propose as an Amendment to the Bill, is that an annual Return should be laid on the Table of the House embodying the number and nature of the cases of overtime orders granted or current during the year, so that the House may see how many of them there are, and for what reason these overtime indulgences have been granted, and in order that my friend the upholsterer may not in future claim a privilege which I am sure the law never intended him to have. I should have been glad if the right hon. Gentleman had extended the operation of the Bill to domestic workshops; but I am sure that if he will accept my suggestion with regard to an annual Return of the overtime orders, the Bill will thereby be greatly improved and rendered much more effective. In that case I believe it would be one of the greatest and most beneficial of the long list of measures dealing with the health and labour of the working classes which the Conservative Party has, during the last 40 years, engrafted on the legislation of the county.

(6.20.) SIR H. JAMES: While this Bill is before the House it may be convenient if I state what is the course which I and those who are interested in the promotion of the Bill on this subject, which was discussed last week, propose to ask the House to adopt. When our Bill was before the House last Wednesday there had been no sufficient opportunity for hon. Members to read, or, at any rate, to consider fully, the Bill of Her Majesty's Government. But while that Bill was before the House those who had taken part in its promotion, and the operatives who had displayed the greatest interest in its preparation, suggested that the course to be taken should be left in the hands of the right hon. Gentleman the Member for Sheffield (Mr. Mundella), the hon. Baronet the Member for Manchester (Sir W. Houldsworth), and myself. It was thought right that we should lose no opportunity of having the Bill of the Government considered by the representatives of the operatives, and they have accordingly taken it into their consideration. I think I may say that there is an agreement on the part of my hon. Friends and myself and the representatives of the operatives that it would be much better if these attempts to legislate on this subject should result in the passing of one Act instead of two. It is thought that in the interests of those workpeople who are to be protected by the proposed legislation, as well as in the interests of the manufacturers who will also be brought under its provisions, it would be very undesirable to have two Acts of Parliament in the same Session dealing, to some extent at least, with the same subject-matter; and, therefore, what I propose to do is this. While I shall maintain for the present the position of the Bill which the House thought right to read a second time last Wednesday, and shall move, in pursuance of the notice I have given, to refer it to the Grand Committee on Trade—for I do not intend to part with it entirely — I shall, in the first instance, endeavour to amend the Government Bill, and shall accept the invitation of the right hon. Gentleman the Home Secretary, and attempt to introduce the clauses of the Bill of last week into the Government measure. I cannot say that I quite agree in the term applied to the Government Bill by the hon. Member who has just sat down, when he characterised it as a "splendid" Bill, and I think that even the Home Secretary himself would not go so far as that. In fact, I feel some diffidence in expressing any opinion on the measure. I may, however, say that the Bill I submitted to the House last week was framed mainly in the interest of those who are employed in the manufacture of textile fabrics, and does not touch other workshops nor various matters included in the Government Bill. As far as the operatives have considered the Government measure, they do not call it a splendid Bill. They deem it a good Bill, and they wish to throw no opposition in the way of considering its details, which they think are worthy of the attention of this House. That being the case, I accept the invitation of the Home Secretary, and I will say, in regard to the much mooted matter as to the quantity of air to be admitted into the workrooms, that now the 600 feet proposal contained in Clause 8 of my Bill has been abandoned there is a fair opportunity of arriving at a satisfactory settlement on the subject of ventilation. There is, however, one subject on which I wish to say a word. I allude to the question of dust, which is one of some importance in the manufacture of textile fabrics. I am sorry that there is no proposal to deal with it in the Government measure. My desire is merely to extend to the textile factories a clause in regard to this important matter, without which it is impossible to deal satisfactorily with the question of ventilation. The Government Bill is, unfortunately, silent on this point; and I must say that I shall press upon the Grand Committee when dealing with my Bill the necessity of some provision in relation to this important subject. I do not take the same view as the right hon. Gentleman with regard to fire-escapes and I hope we may hereafter be able to deal with that matter in a more satisfactory manner than is proposed by the Government Bill. As to the time the machinery is to stand idle for cleaning, I do not think we need trouble much about that, as in the worsted and woollen trades, but little time is required for the cleaning of machinery; but I am delighted at the invitation of the Home Secretary to introduce clauses from the Bill of last week into the Government Bill, and I trust the right hon. Gentleman will favourably consider the clause contained in the Bill of last week with regard to the cotton manufactures. As to the matter of certifying surgeons, I must ask the Government to keep an open mind, for this is a very grave question. Employer and employed may each, from his own point of view, think the certificate unnecessary; but this House must remember that it has to deal with another interest—the interest of children, who are not quite satisfactorily represented even by their own parents. There are many other minor matters, such as the subject of minimum penalties, and the interference of a Central Body instead of the Local Sanitary Authority, which are essentially questions for the Standing Committee, and I should not be wise in now expending the time of the House in dealing with them. I thank the Government for the way in which they have met my Bill. I accept, to a certain extent, the invitation given by the right hon. Gentleman the Home Secretary to draft the clauses of that Bill into the Bill of the Government; but, for the present, I shall retain my Bill for the purpose of pressing it if necessary.

*MR. BROOKE ROBINSON (Dudley): We have heard from hon. Members something of the operation of this Bill in the case of Lancashire and the East End of London, and I should like to say something, therefore, as to what its effect will be in Staffordshire, more especially in connection with those engaged in the nail and chain trades—persons who occupied a very considerable portion of time of the Parliamentary Committee presided over by Lord Dunraven, and in connection with whom there are several exceptional provisions in the Bills brought in by Lord Dunraven and Lord Thring dealing with this subject. It will be also difficult, I fear, to apply to these trades some of the provisions of this Bill; whilst, on the other hand, some of the provisions would fail to achieve the object they have in view. The nail trade in this district has existed for more than 400 years; and in the reign of Elizabeth the nailers employed in it were so poor that a Bill at that period was introduced into Parliament with the object of remedying their condition; and that this was the state of things at this period, we have the corroborate testimony of the eminent Nonconformist divine, Richard Baxter, who in his early youth was a schoolmaster in the town of Dudley, and records in his diary the poverty of the nailers. Such as the nailers were then, such they are to-day; and the attempts to bring the old customs of the trade into line with modern commercial life has brought about such a conglomeration of customs that no one can understand these industries who has not lived in the district, and certainly no one can do so by simply going there by a morning train and scampering back in the afternoon. These people are, however, all looking forward that some factory legislation may do something for them. But when you come to apply this legislation you have two difficulties to deal with. There is, first, the poverty of these people. Hon. Members have heard about the chain makers, but if the chain makers are badly off the nailers are still worse off. I believe myself there are no class of men, I was going to say upon God's earth, but certainly in this country, so badly off as the nailers, for I am not using the language of exaggeration when I say that let these people work as they do work, from the earliest hour of dawn to the latest hour of night, and they cannot earn more than from 8s. to 10s. a week. They are far worse off than the agricultural labourer, because not only have they more rent to pay, but the agricultural labourer has also gardens and allotments, whilst these people have to pay for everything they require. There is also the difficulty that these people are for the most part but poorly educated. At the last election my borough gained rather an unenviable position, from the fact that out of a poll of about 12,000 more than 1,000 voted as illiterates; and it is therefore extremely difficult to bring men before Magistrates for not having given written technical notices if they plead that they lived in the days when education was not general, and are unable either to read or to write, and have no money to pay anyone to read or write for them. You must remember also that in these industries the employer lives not in the workshop, but in the warehouse, and that the workmen themselves are the owners of their workshops, carrying on their business as a domestic industry; but in a workshop which is a workshop without the word domestic. There must be three conditions laid down in any factory legislation dealing with these people. That all sanitary work must devolve upon the owner; that no unnecessarily harassing technical provisions must be applied to them, nor anything that will take one farthing out of their pockets; and, that they require protection quite as much against the employer in the warehouse as against the employer in the workshop. These are, however, matters for consideration in detail before the Grand Committee; and looking at the unfortunate position of these people, perhaps it is not too much to suggest that some Representative of Staffordshire or Worcestershire may be placed on this Committee, so that the condition of the nailers and chainmakers may be properly considered.

(6.40.) MR. RANDELL (Glamorgan, Gower): This Bill appears to me to be incomplete in several particulars. At present there is difficulty experienced in obtaining certificates for children between the ages of 13 and 14, arising in consequence of the Education Code of 1891. Formerly, children were examined separately, but now a class passes or fails *en bloc.* When children pass from Standard IV. to V. an employer of labour has great difficulty in obtaining from the education authorities the certificates of proficiency for labour. A schoolmaster is very anxious to retain grant-earning boys at school; and, therefore, he is not likely to offer facilities in giving certificates. He very naturally says, "I am not in a position to say whether a particular boy or a particular girl has passed the standard, because the class is passed *en bloc.*" It is said the only way to get over the difficulty is for the child to make application to the inspector to be examined separately; but what child will willingly undergo such a trying ordeal?

The point is an important one, and deserves the attention of the Home Secretary. As to the question of ventilation, I am very pleased the right hon. and learned Gentleman the Member for Bury has abandoned his clause, because if his clause had stood as drawn, there would have been in the smaller factories more fan than factory. In regard to special rules as to fencing machinery, I think the Bill ought to go very much further; it should include steam locomotion, because in some districts, notably in South Wales—and I think, perhaps, too much attention has been paid to textile factories and too little to non-textile factories — the percentage of fatal accidents on railways and sidings which intersect many of the large non-textile factories is abnormally great. In 1889 one-third of the fatal accidents in South Wales occurred on railways and sidings; and I am informed that the percentage will be higher in the next Report. I hope special rules will also be framed, with a view to reduce the number of accidents due to explosions and burns in large steel factories. I cannot help regarding the proposal of the Government with respect to certifying surgeons as retrogressive. I certainly am of opinion that the existence of the certifying surgeons' certificates of fitness is a safeguard. I do not mention the matter in the interest of the certifying surgeons. No doubt they have been irritating and annoying to the Home Department. ["Oh, oh!"] Perhaps I have used too harsh a term, but at any rate they have made complaints. Again, at present the fee for the certificate of birth of young persons and children is far too high, it is 3s. 7d. I have brought in a Bill which reduces the fee to 6d. in the case of young persons between 14 and 16 years of age. That Bill is down for Second Reading to night and in view of the proposals of the Bill under discussion I trust it will be assented to. I think the Government might even reduce the fee to 3d., and offer greater facilities for obtaining the certificate. At present in many districts a working man has to walk many miles to a Superintendent Registrar's office to obtain the certificate. Such difficulty ought to be removed, and I suggest that certificates might be obtained at the Post Office of the district in which the child was born. Such an arrangement might easily be made and it would save many thousands of pounds to the working classes. As to the publication of the special rules I hope the Home Secretary will pay some respect to the wishes of the Welsh people. It is desired that an abstract of the Act, and also the Special Rules, should be published throughout the Principality in the Welsh language. Personally, I am of opinion that in factories where foreigners are employed the abstract of the Act, if not the rules, should be published in their language. Respecting the appointment of additional Inspectors, I trust that, as far as Wales is concerned, other considerations being equal, preference will be given to men who speak Welsh. I do not suppose my views upon the question of the limitation of the hours of labour will obtain much approval in the House, but I am satisfied they will gain considerable approval outside. This Bill proposes to deal with the period of the employment of women. I hope at a future stage, possibly on Report, to raise a far more important issue, namely, the limitation of the hours of labour of adult male workers. Having regard to the disturbed feeling in the country, to the conflicts between capital and labour, to the expressions of opinion on the part of the working classes, and to the resolution of the Liverpool Trades Congress, it is high time for an opportunity to be afforded for the discussion of this much-vexed question which has needlessly caused alarm to many employers. It is a great misfortune that the English representatives at the Berlin Conference were not permitted to discuss the question of the statutory limitation of hours, especially when it is remembered that the argument used against a statutory day is that of foreign competition. There is really no insuperable objection to the principle of State regulation of labour. A statutory enactment if it ever does come, and I believe it will come before many years are over, will not, as alleged, necessarily be an arbitrary measure which cannot be relaxed according to the exigences of the case or the pressure of emergency.

*Mr. SPEAKER: The hon. Gentleman is rather departing from the subject of the Bill.

*MR. RANDELL: I was, Sir, dealing with the clause in the Bill limiting the working hours of women, and I thought I might be permitted to extend my remarks to male adult workers, but I accept your ruling, and I will pass on to the question of protection. I hope that the rules as to fencing will not be confined to driving gear, but extended to the operative part of machinery. If this were so, no hardships would be inflicted upon employers, for I find that now on laying down new plant and machinery manufacturers stipulate that machine makers shall provide safeguards or shields according to the requirements of the Inspectors of Factories. Lastly, I will refer shortly to the question of the administration of the Department. The supervision at the present time is very inadequate, for I believe there are only four or five superintending Inspectors, and they have to go over a very large area. What I think is needed is an increased staff of Sub-Inspectors. It is impossible for the present staff to do their duty. Take the case of South Wales: one gentleman has to cover six counties and a part of Monmouthshire. When we remember the enormous development of industry in that part of the country it must occur to us that it is impossible for one Inspector to do his duty thoroughly and satisfactorily. I think it would be well to appoint a new grade of Inspectors, men taken from the ranks, and who thoroughly understand machinery. By a careful re-organisation of the Department the increase may be made without any additional expense. I have made these remarks in no hostile spirit, and I press them on the attention of the House in the mutual interest of employer and employed.

*(6.55.) MR. W. JOHNSTON (Belfast, S.): As one of the representatives of the most important manufacturing centre in Ireland, I venture to offer a few observations principally in respect of Clause 19, which relates to certifying surgeons. Little has been said on the subject, and I do not think it is fair to a deserving body of men that the House should labour under the misapprehension that they are actuated by self-interested motives in performing their duties. It is right the House should bear in mind that the children who are most largely affected by the action of the certifying surgeons have few persons to speak for them. When hon. Members look back upon the history of the past, and remember all that has been done by Lord Ashley and others to emancipate children from cruelty and to mitigate their position in factories, I hope I shall be excused for intervening in the Debate. Of certifying surgeons, Inspector Cameron, concerning whose opinion I put a question to the right hon. Gentleman the Home Secretary at Question time, stated before the Royal Commission that—

> "An able and willing certifying surgeon is of the greatest assistance to the inspector of his district, and can and does render most important aid in the carrying out of the Factory Act."

This gentleman was for 15 years inspector of factories in Belfast. He worked most harmoniously with the employers of labour, and I think this testimony borne by him to the usefulness of certifying surgeons ought to have influence with the House. A letter has been written by Dr. F. H. Walmsley, in which he says—

> "I had to visit one of the finest and best-appointed factories in England, and there was presented to me a child 10 years old to be passed as a half-timer. I observed that he limped as he walked, and asked the cause. He replied that his foot had been scalded. 'How long ago?' 'A tidy time,' was the reply. On examining the foot I found two deep inflamed painful ulcers, which must have existed for some weeks. I refused to pass the boy."

I hold in my hand a return by Dr. Charles F. Moore, an eminent Dublin certifying surgeon, concerning the Dublin factories for 1889 and 1890. The total number of certificates of fitness refused in the two years was 198, and I will not enter into the reasons for such refusals. Some were for general disease, some for diseases of the eye, and some for other forms of disease. A distinguished surgeon in Belfast states that at the beginning of an outbreak of small-pox in that City, he is fully occupied in watching that no one is employed who is suffering from that complaint. Often he says he has got delicate children put from one room to another place which is more healthy. I am glad this Bill has been introduced, but I trust the House will pause before it does away with certifying surgeons.

*(7.2.) SIR LYON PLAYFAIR (Leeds, S.): I thought the right hon. Gentleman was about to sit down without explaining to us the reason for the with-

drawal of the skilled protection of the young persons about to enter factory employment. But he did give us a few words of explanation. He based the withdrawal of that protection on these grounds: he thought that parental affection in itself is to be very much trusted, and that the interest of the employers will deter them from taking improper persons. Surely he knows perfectly well what the history of factory legislation has been. These two reasons of his were advanced against factory legislation in 1802; but it was then found that neither parental affection nor the interests of the employer was sufficient to prevent improper and disqualified persons from being exposed to the danger of labour for which they were unfitted. In 1833 you introduced a measure by which all persons who were too young, who were too diseased, who had infectious diseases, who were deformed, should not be allowed to go into factories until they had their fitness certified by a medical man. In 1878 you passed the existing Act, but before doing so the whole question was submitted to a Royal Commission, which inquired—first, as to whether an initial medical examination was necessary or not; and, secondly, as to the way in which the certifying surgeons had discharged their duty. That Royal Commission expressed its belief that the important share taken in the administration of the Factory Acts by the members of a profession distinguished by its scientific knowledge and intelligence, had contributed to the general acceptation of those Acts. A previous Home Secretary (Lord Cross), on the same political side as the right hon. Gentleman, has also spoken plainly enough, declaring his unwillingness to pass a law to abolish the certifying surgeons, and adding that they would do in the future as they had done in the past—namely, afford the greatest aid in carrying out the Factory Acts. With these facts against him, the Home Secretary ought to have told us why he is making such a great change in the administration of the Factory Acts. But, that I am afraid of wearying the House, I could cite quotation after quotation from the opinions of Factory Inspectors against the present proposal. When the right hon. Gentleman sweeps away all the certifying surgeons, how is he going to replace them? He proposes to put practically nothing in their room. The Inspectors will in future be expected to do the work now performed by the certifying surgeons, the proposal being to abolish the latter at one fell swoop so far as initial entry is concerned. The surgeon is only retained in cases of accidents, the duty in respect of which though important in itself is quite insignificant when compared with the other duties at present performed. A look at the figures shows that accidents at present constitute only one twenty-fifth part of the work performed by the certifying surgeons. I consider the proposal of the Government altogether retrogressive in factory legislation. The object of the Factory Acts is to protect those persons who cannot help themselves, and let us see how the certifying surgeons act. Their primary duty is to see that any young person going into a factory is of full age and physically fitted for the work. The certifying surgeon has to see if a child is physically fit to go to work; to see also that he does not convey contagious disease into the factory. Take the celebrated case at Accrington, where a child suffering from scarlet fever was admitted into a mill, with the result that there was a serious epidemic, which in a week or two resulted in large loss. The right hon. Gentleman the Home Secretary said—and I was surprised to hear it—that refusals were seldom or never given by certifying surgeons. I had expected to hear from him statistics on this subject. In the year 1888-9, in the Dublin district, there were 66 refusals on account of age, 84 on account of infectious disease and debility, 35 for diseases of the eye, and 13 on account of disease of the heart. The right hon. Gentleman may be right in saying the refusals are few; but I do not think he was right in bringing before the House such a sweeping change without producing proof that the certifying surgeons do not do their duty. Has he any Return to show that the refusals were either few or many? We have no official statement whatever on the subject. There is one reason why the refusals may be few in number, and that is that the system prevents cruel parents and factory owners who do care much about the health of those they take into their employment from bringing unfit children forward. Now, what does the Home

Secretary propose to substitute for the system which has been in operation since 1883? The right hon. Gentleman says, in the first place, there is no necessity for the certificate of a surgeon with reference to age, because that can now be ascertained in other ways. That was perfectly true, for we now have compulsory certificates of birth, which we had not at the time the present system was started. But the opposition to the certificates which has induced him to propose this change is certainly not general throughout the country. It exists in Lancashire pretty strongly, but there is special reason for protecting the young in that county, seeing that 70 per cent. of the employés in factories are women and children. In Yorkshire opposition comes from Keighley, but from Leeds and other centres, as well as in Scotland, the proposal to abandon the certificates is strongly disapproved. I can understand the objection to paying for these certificates. I think their unpopularity is partly due to the fact that the fee for obtaining a certificate of birth for children between 14 and 16 was 3s. 7d. It is now to be 6d. There are other matters for which protection is required. This change will by no means be an economical one, for a much larger number of ordinary Inspectors will be required. The certificates of birth and education are to be lodged at the factory, so that the Inspector may see them from time to time. But there are 134,000 factories and workshops registered, and the number of visits paid by the Inspectors is 114,000, or on an average less than one visit each per year. But even if the Inspectors pay a visit every three months, what real use will that be? How can they in their few visits in the course of the year find out the deformed or the diseased children who have been admitted to the factory? One of two things must happen—either the whole system of initial protection must be abandoned; or you must increase the number of Inspectors so largely that the cost upon general taxation will become very heavy. The fact is you are giving up altogether the protection enjoyed by the young under existing factory legislation; you will, under your new system, have no medical security, and until the right hon. Gentleman give us some proof that the present work of certifying is done badly, I think he would be well advised to make no change.

(7.20) SIR F. MILNER (Notts, Bassetlaw): I can assure the Home Secretary that this proposal in Clause 19, which has been dealt with by several hon. Members already has not only raised the opposition of all surgeons but also the indignation of the friends of that excellent organisation, the Society for the Prevention of Cruelty to Children, and of all interested in the welfare of the young. I have collected some statistics which I will produce in the Committee, and I think they will startle the House, for they show the working of the system which it is now proposed to abolish. I hope and trust that the Home Secretary will re-consider his decision and not insist on this provision. When we consider that something like 70 per cent. of those employed in our textile factories are women and children, it does seem to me a retrograde movement to do away with one of the most important provisions of existing Factory Acts. Hon. Members on both sides desire to see the young protected, and it is useless to educate them unless you at the same time look to their bodily health. This proposal, if carried, will mar an otherwise excellent Bill, and I trust that when the right hon. Gentleman in charge sees the statistics I shall have to produce he will consider the advisability of withdrawing it.

(7.22.) DR. R. McDONALD (Ross and Cromarty): As a factory surgeon of 10 years' standing, I may be able to to give the House a little insight into the working of the Factory Acts. I join in thinking that it would be a retrograde step to abolish the certifying surgeon. There is considerable difficulty in preventing employment of children under the legal age in our factories. Many such cases of employment are reported to the Home Office, and no action is taken on them. When an Inspector goes into a factory he finds sometimes that those whom he is called upon to certify have been at work for months, although they are instructed to say only a few days, in order that the breach of the law (which fixes the time in which a certificate must be obtained at seven days) may not be discovered; again, in the shipbuilding industry a rivetter will often employ a young boy three or four days a week to assist him, and these lads are not presented for certificates simply because they have not been seven days continuously at work. I am glad to see it is proposed that no child shall in the future be allowed to commence work until the birth certificate has been produced. Even these certificates have proved to be open to abuse in the past. In my own experience I have known one certificate to do duty for three different boys. One wants to be constantly watching to prevent the employment of boys under age. But what will be the use of an Inspector merely visiting a factory twice a year. There may be hundreds of children under age working there and he be none the wiser, for he may be told they have been so employed a day or two. If the Home Secretary does not retain these certifying surgeons he will find the expenditure under the Act increase enormously. The surgeon is now paid sixpence for every child he certifies, and of that sum the employer can recover one half from the boy certified. The State pays for nothing but attending to the injuries of people in the factories. Another reason why the certifying surgeon should not be abolished is that he is always on the spot and can see the condition of the machinery, whereas if his services be not retained it may happen in the future that after an accident a proper guard is put to the machinery before the arrival of the Factory Inspector. I can assure the House that this is an important point, for it is very difficult indeed to arrive at the real facts as to the condition of the machinery at the time of an accident. I think the certifying surgeons should have more powers vested in them, especially in regard to sanitary matters. Age, after all, is not a criterion of the fitness of a child for work, and a Factory Inspector certainly could not decide so well as a surgeon as to whether a boy should be admitted to work. Again, an employer often cannot tell whether or not a boy has been rejected. Many of the boys I have had to examine have come to me at my private surgery, and in cases I have refused certificates, but it does not follow that the employer was made acquainted with that refusal. He only knows of the rejections made when the examination takes place at his own factory. Supposing factory surgeons abolished, there still must be some means provided for inspecting factories once a month at least, and as this work of inspection must be paid for by the State, I do not see that it can be done at less expense than under the present system.

(7.30.) Mr. ELLIOTT LEES (Oldham): The right hon. Gentleman the Member for Leeds (Sir Lyon Playfair), has made a strong appeal in favour of the retention of certifying surgeons, and he asks if you abolish these what will be set up in their place. I may say that something has been set up in their place—the standard under the Education Act has been set up in their place. I understand that since the Education Act has come into operation the occupation of the certifying surgeon has practically become obsolete. So I am informed by those well qualified by experience to form a judgment, and this cannot be called a retrograde step if you abolish an office which in process of time has become of no value. My hon. Friend (Sir F. Milner) tells us that this particular provision is condemned on grounds of humanity, and that the Society for Preventing Cruelty to Children have taken up the question; but I would say to him and to the right hon. Gentleman the Member for Leeds, if they can show that the certifying surgeon has been of value in preventing unfit children being set to work in factories they will make out their case for the retention of the office. But I do say that this clause in the Bill gives expression to a general wish in Lancashire, and that the opinion is that there is no longer occupation for the certifying surgeon. None of us, of course, would wish to inflict any hardship upon children working in factories; and if it can be shown that the occupation of certifying surgeons still survives, and that there are still a large number of children who are prevented from undertaking work injurious to their health by the intervention of the certifying surgeon, I should certainly favour the retention of that officer. But, as I have said, it is believed in Lancashire that there is now nothing for the certifying surgeon to do.

*(7.34.) Mr. BROADHURST (Nottingham, W.): The redeeming part of the speech of the right hon. Gentleman the Home Secretary was that in which he expressed his willingness to consider amendment, and I sympathise with the

desire that in Committee the Bill may be strengthened in many of its details. If the right hon. Gentleman remains true to the opinions he has thus expressed, I think the Bill may be made a very useful measure, but as it now stands it is very empty, and requires a great deal of furnishing. I regret that the right hon. Gentleman has not seen his way to increase the age for half-time employment of children, and on this point I think the general opinion is as strong as is that condemning the abolition of the certifying surgeon. I should like to say, in regard to Clause 8, which refers many new subjects to arbitration that are at present under the control of Factory Inspectors—I think I read the Bill aright in this——

MR. MATTHEWS: A large class of subjects are submitted to arbitration under Clause 8, but I do not think that any subjects now under the direction of Inspectors are withdrawn.

*MR. BROADHURST: As I read the Bill, the subjects include the safety to women and children, protection from injury by machinery, the state of ventilation, and other matters are included. The safety of workpeople from machinery under the present Act, is now a matter for the Inspector, he can make an order which the employer is bound to obey.

*MR. MATTHEWS: If the hon. Member will look at Section 6 of the existing Act, he will find there arbitration applied to the fencing of machinery, and practically the proposal in the Bill is the same thing as exists now.

MR. BROADHURST: It would be interesting if the right hon. Gentleman would give us a return showing the effect of this arbitration power in the Act of 1878. I think he will find it has been practically worthless and useless. At any rate, common sense will tell us that if an increased number of subjects are referred to arbitration, the Factory Inspector's influence will diminish greatly with proprietors, and if the power of the Inspector is diminished the welfare of the factory people will be seriously affected. Coming to the subject of the certifying surgeon, I admit that it is true that the Home Secretary has been assured by large numbers of workmen and employers that they would not oppose the abolition of that officer; but they have only consented to agree to the abolition on the condition that the number of Factory Inspectors should be largely increased. I remember when this subject was first discussed by the representatives of trades in Congress and by the Parliamentary Committee of the Trades Congress, there was an agreement come to—rightly or wrongly I am not capable of saying for I have not had practical experience—but it was the opinion of a large number of workpeople that the certifying surgeon might be abolished, but on the condition that the number of Factory Inspectors should be largely increased. This was a condition always attached to the proposal, and there can be no mistake about this. The visits of certifying surgeons of factories for the purpose of granting certificates have been of the utmost value, for they have kept factory proprietors on the alert. The certifying surgeon's visit to a factory or workshop has to some extent the effect of the Inspector's visit. Therefore if we abolish the certifying surgeon we ought to increase the number of factory and workshop Inspectors. We have heard that some factories are only visited by the Inspector once a year; but there are many that are only visited once in three years, and still more that are visited only once in two years. The fact is, it is impossible for the present Staff of Inspectors to do more. We have been often promised that the Staff of Inspectors should be increased, and the predecessor of the right hon. Gentleman expressed the willingness of the Home Office to make the increase if the Treasury would find the means. I do not know whether the right hon. Gentleman is equally willing to agree to the increase if the Treasury sanctions it. The right hon. Gentleman gives no indication of assent or dissent. I do not think he will find very considerable objection to the increase at the Home Office. This has been a matter for which the trades concerned have contended for years past, and yet we find that while the proposal is made for the abolition of certifying surgeons, whose duties are analogous to Inspectors, neither the Bill nor the speech of the right hon. Gentleman gives any indication of an intention to put anything in the place of the office to be abolished. I wish to know the intentions of the Government with reference to the strength of the Inspector's Staff, and unless the right hon. Gentleman is prepared to promise some increase in that Staff his legislation will probably be met with considerable opposition in quarters where otherwise it would meet with a friendly reception. I think those who have interested themselves in the welfare of our workpeople must be well pleased with the general expression of opinion on both sides of the House to-night and the desire for the protection of young children in factories and workshops. This proposition of the right hon. Gentleman to abolish certifying surgeons, if it has done no other service, has called forth this universal expression of opinion which should be a guidance to the Government and an encouragement to Ministers not to hesitate, when bringing forward Bills connected with the subject, to largely extend the legal protection to the children of our working population. The expression of opinion we have had here will, I am sure, find a response in all parts of the country, and I trust the right hon. Gentleman will, in connection with his proposal to abolish certifying surgeons, give us an assurance that the Staff of Inspectors shall be largely increased.

*(7.45.) MR. S. SMITH (Flintshire): My remarks will be limited to the question of the employment of children in factories. I am much disappointed that the Government have failed to make use of this excellent opportunity for embodying in legislation the resolutions arrived at by the Berlin Conference, and I cannot help thinking it is somewhat of a discredit to this country, which took a leading part in that Conference, which excited the attention of all Europe. It was the factory legislation of this country which formed the basis of the discussions which took place at the Berlin Conference last year. I am glad to see in his place my right hon. Friend the Under Secretary for India (Sir John Gorst), who took such a prominent part in that Conference. His interest in all labour questions is well known, and I appeal to him—was it not the case that there was practical unanimity at the Conference as to the necessity of raising the age of half-timers from 10 to 12, and some went so far as to advocate 13? I have gone over the Report of the proceedings at the Conference, and I must say that in my judgment it does not bear the construction put upon it by the Home Secretary. There was practical unanimity in insisting that the age should not be fixed lower than 12 years. In Switzerland I am told the age is fixed at 14, and in Germany the age is 14, though exceptions are made in some cases, and 12 is the lowest limit. It is highly discreditable to this country now that we have an opportunity, in a legitimate way, of reforming our factory legislation, that we do not give effect to the recommendations of our own delegates at Berlin. What will be the effect of our action in Europe? I understand that in most European Legislatures Bills are being introduced to give effect to the decisions of the Berlin Conference. What will be thought of England, the originator of this factory legislation, standing still and refusing to walk abreast with other nations? It is going counter to popular feeling which will in a short time force us to take up this subject afresh. But why defer it to a later period now that we have a fitting opportunity while we are revising the general factory legislation of the country? The recommendation of the Berlin Conference is most reasonable. All who have taken an interest in the subject will agree that 10 years is too early an age for children to enter the hot unhealthy atmosphere of a factory; their growth is thereby stunted, their physical development prevented, and the standard of the national physique is lowered. They are deprived of that fresh air and exercise essential to their age; and while being prematurely forced into labour the burden of education is at the same time doubled. I quite disagree with the Home Secretary in the idea that the half-time children make better progress in education, and a short time since Mr. Heller, one of the ablest members of the Teachers' Association, told me that it was the unanimous opinion among teachers that 10 is much too early an age for children to undertake factory work, and that their education is thereby much impeded. I say that children of 10 having been at work from 6 a.m. to 12 cannot go through the afternoon at school with advantage; the fatigue is too much for their tender frames, they are often worn out and can scarcely resist sleep. It is cruelty to expect that a young child after six hours' labour can give another three or four hours more to intellectual exertion, and I am glad to see there is a strong feeling evinced in the House and outside

against a continuance of so harsh a system. The Royal Commission on the Education Acts recommended that the age should be raised to 11, but since then public opinion has progressed and I feel sure that a Commission sitting now would raise the age to 12. I do not believe there is any general feeling against raising the age. I never heard in Lancashire any great importance attached to the work of a child before 12 years of age. The only part of England in which much importance is attached to putting children early into factories is in some parts of Yorkshire; but national progress ought not to be arrested on account of such places which I am afraid are in a somewhat benighted condition. It might be possible to lay down the principle that 12 ought to be the age as a general rule, but that some temporary exceptions should be made in the case of a few districts. It is a cruel thing to allow children to be put too early to labour. I hope the working class representatives will give expression to the wish of their constituents in this matter, that they do not desire their children to be prematurely forced into labour.

(7.55.) SIR W. H. HOULDSWORTH (Manchester, N.W.): I am not surprised that there are complaints that the Bill omits to provide for the raising of the age of children entering factories. I am not surprised that the proceedings of the Berlin Conference have been referred to; but I am not disposed to exclaim against the Government for not venturing on this occasion to make any proposal on the subject in question. It is no doubt true that the Berlin Conference came unanimously to the conclusion that the minimum age should be raised from 10 to 12, and that in that conclusion the English delegates concurred. I do not think that either the delegates or the Government will recede from that conclusion. But although the conclusions of the Berlin Conference ought to have great weight, and there is a moral obligation on the various Governments which joined in those conclusions to take steps gradually and, according to the circumstances of each country, to carry them out, it must be remembered that the delegates reserved to their Governments the discretion to determine for themselves when such steps should be taken, and admitted that local circumstances might make it impossible for all to follow in the same line. The raising of the minimum age is a question of principle, and I have no hesitation in saying that this country, along with other countries, should make a move in that direction. That being the case, the question is limited to the consideration whether this is the time to make that move, and whether the proposal ought to be embodied in the Bill of the Government. The hon. Gentleman who spoke last seemed to think that there was no difficulty whatever in adopting the proposal, though he admitted an exception might be necessary in certain places. Now, I venture to say, there is a very great difficulty indeed, but that difficulty will not come from the employers of labour, the real difficulty will come from the operatives themselves. Although the leaders of the operatives who joined in the delegation to Berlin supported, very much to their credit, the conclusion at which the Conference arrived, still they did very rightly impress upon their colleagues that very careful steps would have to be taken in this country to carry it out so that the hostility of the operatives would not be provoked, and they distinctly assured their colleagues that there would be a very large amount of opposition if that care were not taken. I think a little time would be well spent in allowing the subject to be discussed and considered by all classes of the community, especially those engaged in industries, whether employers or operatives. I do not think sufficient prominence has yet been given to the subject. No doubt the decisions of the Berlin Conference are known in the industrial centres, but I do not think those decisions have become a burning question, carefully considered by the classes most interested. And the suggestion I have heard made by those as earnest as the hon. Member for Flintshire or any other Member is that the question of minimum age should be thus dealt with. Let the question first of all be ventilated throughout the country, let the objections be heard and listened to. Then if a Bill is at any time brought in and passed to carry out this proposition, let a little time be allowed before it comes into operation, the object being that the industries affected shall be able to accommodate themselves to what will be an enormous change in the management of these large industries. Then I think another thing will be necessary, and that is that the change should be effected by steps. I do not indicate these changes, but I think it would be a mistake to raise the age from 10 to 12 by one Bill. I do not know whether the hon. Member who last spoke is aware of the proportions of the subject. We have 86,000 half-timers in this country. If we suddenly raised the age from 10 to 12 I do not know what proportion of that number would be affected, but I suspect it would be a very large one. We have also to remember that the parents of these children will be affected by the loss of weekly wages coming into their homes, and that the various industries will have to be regulated and managed in an entirely different way from the present; and, that being the case, it is quite evident that time must be given before any such operation as this can be taken in hand. I think it is an interesting fact, which can be taken as an argument for not hurrying this matter forward, that the number of half-timers has, without any legislation whatever, been gradually diminishing in this country. I find that it was 125,000 in 1875, and that now it is 86,000, so that there has been a reduction of 31 per cent., which I think we are all very pleased to see. If we compare it with the total number of workers, the half-timers, who in 1875 were 13 per cent. of the whole, are now only 8 per cent. by a gradual process of reduction. Every practical man knows that that has not been done without very great changes, indeed, in the means of doing work in the various industrial establishments, and how far the process can be carried on without diminishing the half-timers is a problem very difficult to guage, but certainly it is a question of time and of ingenuity on the part of the managers in those establishments. I, therefore, think the House will do well not to press this subject too hurriedly on, for I am afraid that if we do we shall find a strong reaction on the part of the operative classes themselves against an interference which, though it may ultimately benefit them, will, in the first instance, affect them by reducing their weekly income. Perhaps I may be allowed, passing from that subject, to say a word as to the certifying surgeon, which seems to be the only other burning question in the Bill. I think that some benefit arises from these surgeons passing children and examining into their fitness so far as they do it; but I am very sceptical indeed as to the extent to which it is done in this country. It is a remarkable thing that the only statement made by the certifying surgeons themselves about the number of children who are refused admittance into factories for other reasons than that of not being of the legal age has come from Ireland. No statement or Return has come from England or Scotland showing the number of refusals, although a certifying surgeon must know perfectly well how many he has refused. The absence of these statements confirms my own opinion that only to a very slight extent indeed have surgeons exercised their power of refusing children because of their unfitness. Probably one reason is that unfit children are not presented. The other day I inquired at one very large establishment, a typical one in every sense, and the statement made to me was that there had only been one case in the last 20 years in which the certifying surgeon had refused a child admission into a factory owing to unfitness. I am very glad to see that the Home Secretary has introduced minimum penalties into his Bill, because I believe them of very great importance, and I hope we shall be able to extend their area. Not only are insufficient penalties given, and fines enforced against manufacturers and employers who persistently and wilfully disregard the law, but there is a very great injustice done at the present moment by the want of anything like uniformity in the penalties that are imposed. Curiously enough that applies not only to England, where it may be supposed that the benches of Magistrates in some districts may possibly deal leniently with cases when themselves connected directly or indirectly with the trade involved, but also to Scotland where the decisions are given by the Sheriffs. I hope that the Home Secretary will allow the minimum penalties to be extended in order that, and we are strengthening the Factory Laws for the benefit of the operatives without injury to trade, we may, at the same time, have taken all the steps we can to see that these laws are enforced and carried out, so that the people will have the full benefit intended by Parliament. (8.13.)

(8.45.) MR. J. ROWLANDS (Finsbury, E.): In dealing with this important question we must remember what it was that has led to the introduction of this measure, and the evidence that was taken before the Sweating Committee of the House of Lords, which induced the public to suppose that something like a drastic attempt to deal with the condition of things then displayed would at least be attempted by Her Majesty's Government. Those who take the trouble to read through the evidence adduced before that Committee, and who have also read the Report and recommendations of that body, must naturally have felt that those recommendations would have been embodied in the Government Bill. But not only have we had before us the evidence taken by the Sweating Committee as to the terrible state of things which exists in London and other large towns in this country, but there have also been the expectations that were aroused by what took place at the Berlin Conference. In view of these two events we cannot but express our regret that the Government have not tried to do more than they have endeavoured to do by means of this Bill. We hope, however, that when this measure goes before the Grand Committee we shall be enabled to materially alter and enlarge the scope of this measure. I do not think it possible that its scope can be reduced, as it is so small already, but it might be materially enlarged with very great advantage. Of course, I welcome the extension by this Bill of the existing sanitary provisions applicable to factories and workshops. That is the least the Government could have suggested. Over and over again the Factory Inspectors, and other witnesses whose evidence could be relied upon, endeavoured to press upon the Committee the necessity of an entire alteration of the sanitary arrangements hitherto enforced. But, as has already been pointed out, the endeavour to deal with the state of things which has been revealed as existing in the sweating dens of London is hardly attempted in this Bill by Her Majesty's Government. I admit that what is proposed with regard to the registration of the outdoor workers is likely to prove beneficial; but, at the same time, that part of the Bill might be strengthened by the Grand Committee, so that there would be the means of getting at the middlemen who have undertaken contracts, sometimes unfortunately Government contracts, and who send out their work in parcels to the East End sweaters. If the addresses of those men can be registered, so that they may be overhauled by more than one set of persons, we may then be enabled to find out what is going on in the whole of these sweating dens, so that the responsible employers may be dealt with. There is one point which has not been dealt with by the right hon. Gentleman the Home Secretary upon which I think we ought to have from him a definite statement to-night, and that is as to the intention of the Government with regard to an increase in the number of Inspectors. In my opinion, if the best possible Bill had been introduced and passed into law, it would be of little value unless an adequate staff of Inspectors and sub-Inspectors was also set up. The want of such a staff was very strongly brought out in the evidence given before the Lords Committee. I will not weary the House by reading that evidence; but if any hon. Member desires to know what an Inspector tries to do at the present time—I use the word tries advisedly, because it is impossible for him to do all he is called upon to do—let him turn to the evidence of Mr. Lakeman, one of the London Inspectors, and it will there be seen what that gentleman had to accomplish with the assistance of only one junior. Within the area of his district, which extends on the north of the Thames into several adjacent counties, there are no less than 4,000 factories and 10,000 workshops. I ask the House to consider whether it is possible for one Inspector, however hard he may work, and however zealous and industrious he may be, to visit so large a number of workplaces and inspect them, so as to assert the necessary control over what goes on within them? Unless the Government are prepared to ask the House to empower them to create an adequate staff of Inspectors, so that they may deal thoroughly and efficiently with the work before them, all the Factory Bills they may introduce and have discussed in this House are not worth the paper on which they may be printed. I therefore insist most emphatically on what is one of the most important points to be dealt with, and I hope we shall have at least a statement from the Government in regard to it. Another point to be considered by the right hon. Gentleman in reference to the Sanitary Clauses of the Bill is how far it may be possible to make the owners of the sweating dens responsible for letting unsanitary buildings as workshops. In the evidence before the Sweating Committee you will find it stated over and over again that the men who take these places are men of no substance and not easily to be got at. We know, however, that an excessive amount of rent is obtained by letting these premises, and we know also that they are not capable of being used as dwelling houses even by the very poorest families. They can only be used as workshops, and even for that purpose they are altogether unfitted. I therefore put it to the right hon. Gentleman whether steps cannot be taken in Committee on this Bill to make the owner, who obtains an inordinate rent from these establishments, responsible for the unsanitary condition in which they may be found. I now come to the omission of provisions for raising the age at which children can be employed in factories. I do not think any sufficient reason has been given for that omission. The hon. Baronet the Member for North-west Manchester endeavoured to palliate, to some extent, the conduct of the Government in not carrying out what was really a recommendation of the Berlin Conference. I agree with the hon. Baronet that what we are asking Her Majesty's Government to do is somewhat difficult. No one wishes that it should be done in such a drastic manner that you will turn all the operatives against you who happen to have children working at the lower age, but that it should be done in such a way as to win over those who might be otherwise against you. The hon. Baronet admitted distinctly that the principle is a good one, and that an attempt should be made to level up the age to 12 years instead of keeping it at 10. The only difference between us is, that he is afraid that the time is not yet arrived, while we regard this as a fitting opportunity to carry out the changes. The hon. Baronet said there were 86,000 half-timers at the present time, but that the number had decreased 30 per cent. since 1875. I contend that this decrease shows that parents are not so anxious to get their children to work at an early age as formerly, and that the Government would not meet with so much opposition from the parents as they think if they attempted to raise the age at which children can be employed. I remember, before the Education Act was passed, that if you advertised in your window for an errand boy, your doors were besieged, and the proverbial widow, rarely a widow at all, made her appearance in favour of her son's application for employment. Immediately after the Education Act was passed, and the School Board officers had opportunity of doing their work, the children in search of work were not so numerous. And I hold, that if the Government were now to insist that the age of children beginning to work in factories should be 12 and not 10, benefit would result to our race in the development of its men and women. The Home Secretary says that the "half-timers" are smarter than the children who go through the daily routine of school. No doubt work in the factory does brighten those children; but what we are fighting for is not that they shall cease to be half-timers, but at what age shall they begin work. By raising the age, more adult labour will be admitted to the market; and whenever the Government deals with this question it will be surrounded with difficulties, and the sooner, therefore, they begin with it, the better it will be. I should like to draw the attention of the right hon. Gentleman to Clause 18, Sub-section A, of this Bill, which, I think, wants a little amending. It says that women shall work 12 hours a day, and eight hours on Saturday. I do not think that carries out the intention of the draughtsman, because it is specific that the hours shall be 12 hours a day, and eight on Saturday. I think the clause is capable of modification. I regret that the Bill does not go further than it does, and that the intention of the Berlin Conference is not carried out. I hope that the measure will be amended in Committee, and that it will come back to this House strengthened and improved.

(9.0.) Mr. SHAW LEFEVRE (Bradford, Central): Representing as I do a constituency very largely interested in this question, I desire to express my sympathy with the objects of the Bill and to give the measure my support. I do not say that the Bill is a strong one—I do not know the right hon. Gentleman the Home Secretary himself would assert that—but with Amendments such as those suggested by the right hon. Gentleman the Member for Bury and by the hon. Member for Poplar, it may prove a very good one. As to its actual proposals, to all but one I give hearty support. That one exception I need hardly say is the abolition of the certifying surgeon. I confess I have objected to this from the first, but what has been said in to-night's Debate, especially by the right hon. Gentleman the Member for Leeds, has more than confirmed my view that these officers constitute an immortant link in the system by which protection is secured to young children under the existing Factory Act. I know that the late Lord Shaftesbury used to say that he regarded the institution of the medical officer as the most important feature of the policy which he carried out. He considered it more important in securing the protection of children than any other part of his policy. That being so, and in view of the prevailing tone of the Debate on this point, I would seriously suggest to the Home Secretary whether he will not do well to drop the proposal to abolish the certifying medical officer. I think it would be impossible to abolish that institution without providing some substitute for it. I do not, however, see any alternative plan proposed in the Bill. I think the only possible substitute would be a large increase in the number of Factory Inspectors. For my part, I am not strongly in favour of a large increase in the number of Inspectors, although to some extent, no doubt, an increase might be made with advantage. But the Home Office has already much to do in looking after the Inspectors, and if any material addition were made to their ranks, the question would be how to inspect the Inspectors. It is objected to the existing system that it is not fair that employers of labour should be made to contribute towards the cost of inspection. I should prefer that the Government should undertake whatever payment may be necessary in this direction rather than that we should do away with a protection which I believe to be of great value to the children of this country. I was very glad to hear the suggestion made by the Home Secretary to the right hon. Gentleman the Member for Bury, that instead of proceeding with his Bill he should endeavour to engraft its provisions into the Government measure in Committee, and I was still more glad to hear my right hon. Friend assent to that suggestion. The right hon. Gentleman has made a very important concession to the woollen and worsted trades, which I think were not sufficiently considered in his Bill as first drafted, and by so doing he has got rid of a serious objection to his proposals, which now, I am happy to say, I shall be able to heartily support. My hon. Friend the Member for Poplar has made some important suggestions, which I hope will be favourably considered by the Government. He has very properly pointed out that the provisions dealing with overcrowding are very inadequate. I agree with him that they must be amended and strengthened. Further, I hold with him that something requires to be done in the direction of inspecting domestic workshops, so as to enable us to cope with the evils of the sweating system, which a Committee of the House of Lords found recently to prevail to such a fearful extent. To the general proposal for extending the inspection to workshops now excluded under the present Factory Acts I give my hearty support. It has long been a scandal that so hard and fast a line should be drawn between factories and workshops which are subject to inspection and those which are not, for I cannot but think it is in a great measure due to this fact that the evils of sweating have grown up to the extent they have. But these are subjects more fit for discussion in Committee. I agree with the right hon. Gentleman in charge of the Bill that our object should be not unduly to harass manufacturers, while securing greater protection for the life and health of the working classes.

*(9.10.) DR. FARQUHARSON (Aberdeenshire, W.): I am quite prepared to recognise the good intentions of the Bill and their fulfilment to a certain extent. For instance, I thoroughly approve of the excellent sanitary provisions which it contains, but I must also protest, in common with others, against Clause 19, withdrawing from young children who may be introduced into factories the protection hitherto given by the factory surgeons. The able and comprehensive

statement of the right hon. Gentleman the Member for Leeds has most completely exposed the objection to this proposal, and I shall do no more than adopt a phrase already used pretty freely in this Debate, and say it is a highly retrograde proposal. Many of the improvements which have been effected by the Factory Acts have been due to the operation of the Medical Authorities under those Acts, and to the operations of those surgeons who are now, at one stroke of the pen, to be disestablished and disendowed and abolished out of existence. Not only do the surgeons stop directly unfit cases, but they do more; they have a deterrent influence which prevents parents from bringing up children whom they know to be unfit or who are, perhaps, suffering from disorders which might otherwise have caused great and serious detriment to the health of those by whom they might be surrounded. I cannot agree with the assertion that the examination by the factory surgeons has become an unmeaning form. Evidence on all hands can be cited testifying to the admirable way in which they have done their work. Something has been said about parental affection—no doubt a very high and ennobling characteristic, but I fear that self-interest occasionally prevails over it, and those who know human nature will agree as to the necessity of continuing to protect children against their parents. The whole current of the most recent legislation, such as the Cruelty to Children Acts, shows that strong though parental affection is, it is nevertheless necessary to protect children against the self-interest, the greed, the poverty, and frequently the ignorance of parents. I do not see that there is any less reason now to protect children from their parents than there was under the original Factory Acts 50 years ago. We are told employers will not employ children who are too weak to work. I should be sorry to say anything hard of employers; but they are not always able to detect physical infirmity—heart disease or incipient consumption, which are only patent to the skilled eye, but which certainly unfit a child for work. Even a parent might think a child fit for work when a medical man would detect in that child weakness or disease which rendered it quite unfit. It has been suggested that some of the doctors scamp their work. I do not believe it. Although there may, in some instances, be hurry owing to the numbers to be inspected, yet I believe that, on the whole, the factory doctors do their work fairly and well. It is said there are very few cases of rejection of children as physically unfit. The reason instances have not been forthcoming is that the surgeons have not had time to get up their case, owing to the Bill having been hurried forward. I will undertake, if a reasonable time is given, to show that the rejection of children as physically unfit is of frequent occurrence. I know of one surgeon in a large town in the North who rejects, on an average, two children a week. Instead of diminishing the powers of the medical men, I am in favour of largely increasing them. I think they should inspect the sanitary condition of the factories, and also from time to time see the children they have passed, to know whether the work is injuriously affecting them. I am bound to say that the remedy proposed by the Government is a very futile and ineffectual one. Age is a very inconclusive test of fitness, unless it is accompanied by a medical certificate that the person is of the development usual for that age. No doubt medical inspection is unpopular, but so are most other kinds of inspection which prevent a man from doing what he has a mind to. The right hon. Gentleman proposes to deprive a class of men of employment upon which many of them are entirely dependent for their livelihood, and I will ask the right hon. Gentleman what he proposes to do in the way of compensation for those men? It is hopeless for many of them to return to private practice, which they have entirely given up for many years. It is only right and proper that they should be compensated. Although I speak as a medical man for medical men, I believe I speak also in the interests of the poor and of the community at large. I am convinced that many ill-conditioned, weakly, and diseased children will pass Inspectors who, however worthy and conscientious, are not medical men. It is said the present system does not work well in Lancashire, but Lancashire is not the whole Kingdom; and, speaking best for that part which I know—Scotland—I believe the old system works extremely well, and the people there view with alarm the proposed change.

(9.25.) MR. ABRAHAM (Glamorgan, Rhondda): I have not risen to find fault with the Bill as far as it goes, but I think it incomplete and disappointing. I am convinced that the vast majority of the working people of Wales are opposed to reducing the age of children for the purpose of getting employment. I have had good opportunities of learning their views on that point. With regard to the 19th clause, I may say I have received a letter from a factory doctor of 25 years' standing on this very subject He thought that I, as a Labour Representative, would favour the idea of reducing the age, and he therefore wrote to me to give me certain information before I committed myself to that view. He says—

> "I understand the Home Secretary has a Bill before the House, Clause 19 of which will abolish the medical certificate. After an experience of 25 years I am of opinion that this is a step backwards. I have rejected many young persons suffering from contagious and infectious disease, not omitting affections of the lung."

That is the testimony of a factory doctor of long experience. Medical Members of this House have given similar evidence, and I therefore ask the Home Secretary to re-consider his decision to abolish the practice now existing. If he adheres to the clause I fear it will have a disastrous effect upon the young in our manufacturing towns. I have a word to say upon the question of safety. The difference between the right hon. Gentleman and myself was simply a difference of degree. I am prepared to recognise to the full the right hon. Gentleman's intention to improve the condition of the working classes. The Bill is a step in the right direction; but as to safety, it does not go far enough. Protection to life and limb is the very essence of industrial legislation; and, therefore, such protection should be afforded in no halting or hesitating manner. Unreasonable provisions would harass the employers, and possibly hamper trade: but the House will agree with me that it is possible to go much further in placing obligations upon employers to fence and safeguard machinery than is done in this Bill, and yet not be guilty of imposing what may be termed unreasonable restrictions upon them. I suggest that the Home Secretary should include in Clause 30 every integral part of the machinery likely to prove dangerous to the attendants upon the machinery. I would like the Home Secretary to provide that all the operative parts of machinery should be fenced so as to make it almost impossible for accidents such as occur now to happen. Some may suppose that this fencing would cost a great deal. I, however, am informed upon very good authority that it would only entail a very trifling expense indeed. It is a well known fact that machine makers, when called upon to do so, send out machines fitted with shields and safeguards, and make no extra charge. I regret that there is no provision in the Bill in regard to the cleaning of machinery in motion. By the principal Act a young person is prohibited from oiling mill gearing in motion. Nothing can scarcely be a more prolific source of danger to life and limb than the oiling and cleaning of machinery when in motion. Therefore, I trust that in Committee the Government will be prepared to strengthen the Bill—this good Bill, I admit. I am anxious to see the Bill made better, and therefore I hope the Government will consent to strengthen it, in the interest of those whose daily duty involves constant attendance in close proximity to engines and machines, by prohibiting the cleaning of machinery when in motion. There is another omission, and it concerns administration. In view of what has been said by the Home Secretary and his predecessors, I am somewhat surprised to find that no reference is made in the measure to the means whereby a more effective administration of the Act can be secured. The South Wales district included 12 counties and a part of a 13th—Monmouthshire. Glamorganshire, which is one of the 12 counties, is the most populous county for its size in the United Kingdom. There is but one Factory Inspector, a good man, I admit. A better Inspector the Government never had; he works in season and out of season; does his duty to the Government and to the community at large to the very best of his ability. But it is ridiculous to have only one man for 12 counties in which there are 12,000 factories and workshops. Inspection has done wonders for the working people. Legislative interference has reduced the danger to life and limb to an extent which we can scarcely comprehend; still, if inspection in the South

Wales district is to be thoroughly effectual the present Inspector must receive very material assistance. The Home Secretary can do nothing for which the people will be more grateful, than increase the number of Inspectors of factories and mines. There is another point I wish to press upon the right hon. Gentleman's attention, namely, to adopt in this Bill with respect to Wales, the same excellent principle as he applied in the Mines Act—to give the preference in the appointment of Inspectors to the man, all else being equal, who is conversant with the Welsh language. The right hon. Gentleman can scarcely comprehend the gratitude that is felt in the Principality at the concession he made on this point in the Mines Act, and I am sure the Welsh people will be grateful to him if he extends the principle a little further. I am glad to see the right hon. Gentleman nods his assent to that proposition. I would also ask the right hon. Gentleman to consent to the publication of the special rules as well as the abstract of the Act in Wales. No doubt on many occasions it has come under the notice of the right hon. Gentleman himself that the Inspectors sometimes obtain considerable assistance from the men when they are making their inspection. If the men do not understand the language he speaks, or even if some of them do, they may very well shelter themselves by saying: "I do not understand the English language, and therefore can give no evidence." If you appoint Inspectors who are conversant with the Welsh language, and if the rules are published in Welsh, it will be of material assistance to the officials in finding out true facts of the case. I may be allowed to say that from the West of Glamorganshire, through Carmarthenshire, and the Northern part of Pembrokeshire, and to Cardiganshire, the majority of the people, while they understand Welsh, are not able to read the English language. That at once proves the necessity of applying special rules to Wales, and if the right hon. Gentleman assents to my suggestions he will earn the thanks of a very grateful nation.

*(9.44.) MR. J. A. CAMPBELL (Glasgow and Aberdeen University): I agree with the hon. Member who has just spoken, that this is a good Bill, but my main object in rising is to assure the right hon. Gentleman the Home Secretary that the disapproval which has been expressed in regard to the 19th clause is shared by many Members on both sides of the House. My hon. Friend the Member for South Belfast has objected to the clause on behalf of Ireland, and I, also a supporter of the Government, must express my objection to it on behalf of Scotland. The objections to the existing system seem to have come exclusively from Lancashire and part of Yorkshire. I think it rather significant that no such objections have come from the rest of England or from Scotland or Ireland. Two years ago there was a demonstration in opposition to the present system on behalf of Lancashire factory owners, who stated that they represented the operatives as well. There has been no movement in Scotland or Ireland in support of that demonstration during the two years that have since elapsed. It is said there is a lack of evidence as to the amount of useful work done by certifying surgeons in refusing unfit applicants for employment. Well, it has been no part of the duty of the certifying surgeon to make a Report of the cases he deals with. The instance has, however, been quoted to-night of a Dublin certifying surgeon who, while he rejected in two years 66 children as being under age, rejected no fewer than 132, or exactly double the number, on account of physical unfitness. It has been justly said that the frequent visits of the certifying surgeons to the factory ensure the paying of greater attention to the general observance of the Factory Laws than would otherwise be paid, and that if he were to be dispensed with, we should be left without any sufficient security that the Factory Laws were regularly observed. The visits of Factory Inspectors are made at very rare intervals—once a year, if even once—and if we are to substitute for visits of the surgeons frequent visits from someone else, we shall require, not a few, but a whole army of additional Inspectors. For the whole of Scotland I find there are altogether only six Factory Inspectors, namely, one Superintending Inspector, no Inspector of the first-class, three of the second-class, and two junior Inspectors. That is the entire inspectorial staff for the whole of Scotland, while for the City of Glasgow alone there are seven certifying surgeons. I do not

know how many surgeons there are for the whole of Scotland, but the number must be great; and if their visits to factories and workshops are to be discontinued, a very large staff of Inspectors will be required to take their place.

*(9.50.) SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): As I represent a district of Lancashire which is more interested in factory legislation than almost any other part of the country, and in which a very large number of half-time children are employed, I think the House will grant me its indulgence whilst I say a few words on this subject. I think the House is fortunate in having three Factory Bills before it, namely, that which has been introduced by the right hon. Gentleman the Home Secretary, that brought forward by my right hon. Friend the Member for Bury (Sir H. James), and that which has been prepared by the hon. Member for Poplar (Mr. S. Buxton). I cannot but hope that if the best parts of each of these measures were woven together, a very important statute might become law during the present Session. The hon. Baronet the Member for Manchester (Sir W. Houldsworth) seemed to think that the Government do not deal with the question of the half-time age in any way in this Bill; but obviously, by removing the check of the certifying surgeons, they run the risk of lowering the age, and thus the question is dealt with practically if not directly. I regret that the hon. Baronet has not used his great influence to press on the Government that now is the time to take some steps with the view to carry out the decision of the Berlin Conference. It will be a thousand pities if this opportunity of taking a step in the direction of the recommendations of the Berlin Conference is lost. We in this country occupy a special and exceptional position on this question. We have taken the lead among the countries of the world in regard to factory legislation, thanks to the efforts of Lord Shaftesbury and others. I wish to ask whether we ought not to retain the lead? I think the Members who represented this country at the Berlin Conference are bound to impress on the Government the importance of dealing in reasonable time with the recommendations of the Conference. What is the good of sending a right hon. Member of the Government and other Members of this House to join in that Conference and its recommendations, if our Government is afterwards to introduce a Factory Bill which ignores them? There is no reason why too large a stride should be made in the first instance. When the half-time age was raised from 8 to 10, time was given before the Act came into operation. There can, I think, be no doubt that if we adopted the recommendations of the Berlin Conference we should take two bites at the cherry, first raising the age to 11, and afterwards further raising it to 12. I can assure my hon. Friend (Sir W. Houldsworth) that, so far as the part of Lancashire which I represent is concerned, I do not think there will be any great opposition on the part of the operatives to the raising of the age, if it is done, as the hon. Baronet himself suggested, with prudence, and if some little time is allowed before the Act is put into operation. In speaking of foreign competition, I think people are apt to overlook the fact that, unless we take every precaution that our working classes are as well instructed, and as well developed physically, as those in other parts of the world, we shall be heavily handicapped. We know that children are not allowed to go to work in Switzerland until they are 14 years of age, and in many other countries of Europe the age limit is higher than in England. The doctrine that half-timers are taught more than full-timers, was, I think, exploded long ago. My old friend Sir Edwin Chadwick was a great advocate of that doctrine, but I thought it was now entirely abandoned. I would invite the right hon. Gentleman (Mr. Matthews) to visit the part of Lancashire in which I have lived all my life and make the acquaintance of the school teachers. If he does so, I venture to say he will not find a single teacher, who has experience in teaching half-time scholars, who will bear out the view he has expressed. Teachers can only pass half-timers through the standards by dint of great exertions, and those children who attend school full-time suffer from the attention which has to be bestowed on half-timers. The omission to alter the age is the more remarkable since the Royal Commission on Education, which

was presided over by Lord Cross, a member of the present Cabinet, unanimously recommended that the half-time age should be raised to 11. I pass on to the question of certifying surgeons, and I must express my regret that a retrograde proposal on that subject has found its way into the Bill. I think it can be shown that certifying surgeons reject many children whom it is proposed to send to work, but who are not fit to enter the factory. My hon. Friend says that unfit children are not presented for employment in factories, but is not that because parents know that children will have to pass the examination of the certifying surgeon? Does not the existence of this official in itself provide an effective preventive, and check the employment of children who are unfit for the work to which parents might otherwise put them? My hon. Friends the Members for Nottingham and for Rhondda have both pressed upon the Home Secretary the importance of appointing an increased number of Inspectors. I believe that what is wanted is more Sub-Inspectors from that class from which the right hon. Gentleman told us the other day that he has lately been making appointments, from the ranks of the working classes—men familiar with the dangers of industrial occupations against which the system of inspection is to guard. In making their observations my hon. Friends represented not only the workmen with whom they are specially brought into contact, but also the opinion of the operatives in the district which I have the honour to represent. It is a strong conviction, founded on fact and personal experience, among these people, that it is absolutely necessary, if the Factory Acts are really to be carried out effectually, that the number of Sub-Inspectors must be considerably increased.

*(10.3.) Mr. H. S. WRIGHT (Nottingham, S.): I desire to urge upon the Government to reconsider their decision in reference to the certifying surgeons. Medical evidence is entirely against it, and it seems to me to be a concession to employers at the expense of the children employed. I hope the Government will not insist upon retaining this Clause 19 in their otherwise excellent Bill. I have a letter from a very competent certifying surgeon doing duty in my own constituency, and he confirms my own opinion that the parents among the working classes generally are grateful for the protection afforded by the certifying surgeon, and the owners of factories are, perhaps, still more grateful when that gentleman points out any danger of infection running through a factory, doing incalculable damage. We have the alternative of ending or mending, and I cannot see why, if there are faults in the system, these faults cannot be amended and certifying surgeons everywhere made to discharge their duty as well as I know they do in my constituency. If you take away this official you take away a safeguard against the spread of an infectious disease from factory children through a whole town. I, therefore, respectfully urge the Government to consider the withdrawal of this clause.

*(10.5.) Sir WALTER FOSTER (Derby, Ilkeston): The introduction and passing of a Bill on this subject requires the greatest care, for it touches a statute which is one of the greatest glories of Parliament. I am anxious that the high standard of the past should be maintained in future factory legislation. The protection of life and health in our industrial occupations has been the object in all our Factory Acts, but in this Bill I do not see, I am sorry to say, that the same spirit is sufficiently displayed. I had hoped that there would have been a more determined endeavour to do away with the pernicious system of "sweating" in our large towns. I should have been glad to have seen the Bill follow more the lines of the Bill of the hon. Member for Poplar, but there is no indication of an adequate attempt to grapple with the evil. I hope we may yet persuade the right hon. Gentleman to accept Amendments which will give force to the Bill in the direction we desire. I am sorry that the sanitary aspect of the Factory Acts is not extended by this Bill. There is an opportunity in a measure of this kind for making the sanitary supervision of all places of industrial occupation much more effective than it is. We have an opportunity of taking care that all people shall be employed under the conditions least hurtful to health. It is the duty of the State to take the greatest care of the sanitary conditions under which Factory labour is carried on. Both employers and employed are insufficiently acquainted with this sub-

ject, and I doubt if the appointment of an increased number of Sub-Inspectors will meet the case. If the right hon. Gentleman were to appoint a large number of Inspectors from the ranks of the profession to which I have the honour to belong, he would obtain the kind of skill necessary for the sanitary improvements of workshops. I do not suppose that any such enlightened idea has entered the right hon. Gentleman's mind, and I am rather led to think so, because the factory surgeons seem to have incurred his displeasure in Clause 19. The question for the surgeon very often is not one of age, but of physical fitness for a particular occupation, and the medical officer alone, I maintain, has a sufficient insight into individual peculiarities to enable a right judgment to be arrived at on that matter. I hope from the general expression of opinion on both sides of the House that we shall have some alteration in the proposal to abolish certifying surgeons. The case of these surgeons has been stated again and again with considerable force, and I need not dwell upon it. I should be very sorry to see such a retrograde step taken in factory legislation as their abolition. I do not say that the present system cannot be improved, but I do say that we should not do away with the medical safeguards which the Factory Acts at present contain. The importance of this goes beyond particular trades, it is a matter of health and well-being to the population generally. Recently an hon. Friend of mine went down to Lancashire, on a sad occasion, to attend the funeral of Mr. John Bright. He had not had previous acquaintance with the physical aspect of the operatives in great Lancashire towns, and he told me on his return that he was painfully struck with the injurious effect of factory work upon the persons employed, and remarked upon the striking difference in physique between the men of the Lancashire manufacturing district and the men of the South and the Midlands. Well, his observation was just; and such a result can only be prevented in the future, by strengthening instead of weakening the check, by which certifying surgeons will keep out the young, who are unfit for labour.

*(10.14.) MR. TOMLINSON (Preston): I wish to say a few words in reply to the right hon. Gentleman the Member for Clitheroe (Sir U. Kay-Shuttleworth). My constituency is in the same part of the county as his, and the occupation of the people similar in character; the conclusions at which I arrive, however, are not identical with those he has put before the House. I think the Government have done wisely not to introduce the recommendations of the Berlin Conference into this Bill, but have limited it to an Amendment of the Factory Acts. They could not, for example, raise the age for protection without dealing at the same time with the subject of education, because they would incur the risk of producing a condition in which the children would be no longer required to go to school, and yet would not be allowed to go to work. With reference to half-timers, I also have often conversed with the late Sir Edwin Chadwick, but I did not understand him to place the education of half-time children quite so high as the right hon. Gentleman supposes. I know he had a strong opinion in favour of the half-time system, but I do not believe he seriously maintained that half-timers learned more in their half days than other children with all their time at school. But if there was an "element of exaggeration" in Sir E. Chadwick's views as to the advantages of the half-time system, I believe that the right hon. Gentleman errs as much on the other side. The information I have received is that, though half-timers find it difficult quite to keep pace with the full-timers, they do very much more than half the proportion of work, but I believe it is generally understood that though they have only half-time at school, the children learn more than half as quickly. No doubt some extra exertion on the part of teachers is required to keep them abreast of their full-time schoolfellows, but if the standards were slightly eased in the case of half-timers, the teachers would say that they had no reason to complain. With regard to the question of certifying surgeons, there is no doubt that in my constituency opinion, both of employers and employed is strongly in favour of the Bill in its present form, and to the effect that the certifying surgeon's test

is of very little good. Whether that opinion is well founded or not I do not know, but if it is so, I should regret it, because I think that the work of certifying surgeon ought to be so managed as to be of considerable use.

*(10.18.) MR. BURT (Morpeth): I have no intention of entering into the merits or demerits of the Bill. I have no doubt that some of the provisions relating to sanitary matters are improvements so far as they go, and I am very glad that the Factory Act is to be extended to workshops. I have risen, however, merely to express my deep disappointment that the Government have not raised the age at which children are to be employed. This country is in many respects in advance of nearly all other nations of the world, and some of our industrial legislation is, I think, the glory of our country and our Parliament. There is, however, one point in which we are behind Germany, Switzerland, and some nations in the North of Europe, and that is the age at which we allow our children to begin work. At the Berlin Conference there was a unanimous recommendation in favour of raising the age for work in mines to 14, and in all other employments to 12. The Home Secretary has said that the bulk of the delegates to that Conference agreed in that recommendation, but my belief is that the recommendation was unanimous; at all events, it was unanimous so far as the British representatives were concerned. I see in his place the right hon. Gentleman the Member for Chatham, who was to a large extent the spokesman of this country, and put forward his views with great ability, and with the very great sympathy which he has always evinced so far as industrial legislation is concerned. I suppose it would be inconsistent with party discipline and Government etiquette, but I wish that the right hon. Gentleman could have risen and answered the Home Secretary. The Home Secretary has spoken of the difficulty of carrying out a change of this kind. No doubt there are always great difficulties in such a matter; there is the loss to the parents, and some of them may object. I do not say that we can view without consideration the feelings of parents, and, I believe that there are parents who, owing perhaps in a large measure to the necessities of their own circumstances, are not sufficiently considerate with regard to their children; but I think that it is the duty of Members of Parliament and of Governments in some cases to educate public opinion to the proper standard on matters of this kind. With regard to the Berlin Conference, I think that the cotton operatives of this country were very well represented; Mr. Birtwistle knows thoroughly what are their views and feelings. The Home Secretary has argued as if the half-time system relieves us of the necessity of carrying out that recommendation, but I do not think so. There may be educational advantages, I believe there are, in that system; but the recommendation is absolute not to allow any children to enter any employment before they are 12. The hon. Baronet the Member for Manchester says the delegates reserved to themselves the question of when this should be brought into operation, and he says it is a question of time and ingenuity and should be done by degrees. I entirely agree that it should be done by degrees; but what I complain of is that the Government are not taking a step in advance. The hon. Baronet says that parents, rather than employers, would object to the alteration. With regard to the parents, my opinion is that it will only be the less thrifty and careful of them that will object to a change of this kind, and I think that we should make such a change gradually. We had always done it in a very gradual way. When the law was altered as to the employment of boys in mines, those already employed were allowed to go on as before, and a year and ample time was allowed in order that the employers should adapt themselves to the change. Nobody will object to time being allowed, but the Government ought to have endeavoured to raise the standard of age, and thereby have effected a great improvement on the existing condition of things. No doubt Germany and some other countries on the Continent are influenced in the action they had taken very much by military consideration, but it is surely not less important for us as a great industrial country to care for the physical and mental development of our people. I should like to remind the Home Secretary of what took place two or three years ago

with regard to the Mines Regulation Bill. As introduced it left the age at 10. I submitted an Amendment raising it to 12, and that Amendment was carried by an overwhelming majority. The question was again raised on Report, and it was again carried by a diminished majority, but still a very substantial one. But in the meantime we had representations from the employers and also from the men specially affected urging that we should maintain the age at 10. But I and my colleagues did not listen to those representations at all. We believed that they were dictated by narrow and selfish considerations. We believed the great mass of the miners would support us in our endeavour to raise the age of the half-timers; and for my part I quite believe that the same thing would happen with regard to the cotton trade, where the great majority of the operatives would also be in favour of raising the age. I am quite sure that the opinion of this House and the general opinion of the public outside will support Her Majesty's Government if they can only be induced to take a more courageous course in dealing with this matter. There is just one other point to which I should like to refer. I think that, considering that one of the difficulties we have to face in the foreign competition we are subjected to arises from the long hours and the low wages of the Continental workpeople, together with some other factors which I need not go into, we, having entered into the Berlin Conference, and having thereby become a party to the recommendation it made with regard to the limitation of age, are in honour bound to give effect to that recommendation. I ask Her Majesty's Government how they can expect other nations, who are behind us in regard to many other subjects, to come up to our standard in those matters if we refuse to take a step in advance in some of those questions in which we are far behind them?

*(10.32.) COLONEL BLUNDELL (Lancashire, S.W., Ince): In regard to the question of age, to which reference has been made by the hon. Member for Morpeth, I may state that I saw some of the deputations of miners which came up to London to request that the Secretary of State might still permit boys to work in the thin seams at 10 years old, and that I gathered from them that the fathers wished their boys to work with them in the mines, because if they did not do this they would have to go further away and work in the mills. I am certainly of opinion that there should be a uniform age established for all the great industries throughout the country, and that that should be 12 years rather than 10.

*(10.34.) MR. WINTERBOTHAM (Gloucester, Cirencester): The tone in which this Bill has been received on both sides of the House is, I think, a matter congratulation for the Government. of Having myself been a manufacturer for a quarter of a century, I think I may say that we also should take credit in that there has been on this occasion nothing like the selfish opposition from employers which greeted the old Factory Acts when they were introduced. I have only three serious objections to advance against this Bill. The first is that it excludes the domestic workshops. That is a matter which I hope the Government will very carefully consider. It is a very grave and important matter, but it is one which only affects the large towns and cities, for which special arrangements might easily be made. I think it would be a thousand pities if this Bill were passed without something being done to put a stop to the abominable sweating which takes place in workshops outside the ken and control of the Factory Inspector. Secondly, I want to add my word of protest about the half-timers; and here I endorse every word which fell from my hon. Friend when he urged that we should not lose this golden opportunity of raising the standard of age at which the children are permitted to work as half-timers. In the West of England—in Gloucestershire and Wiltshire—there are practically no half-timers. We do not employ children there until they have reached the age of 13 or 14, and I do not think there would be any opposition worth talking about on the part of the working classes if we were to raise the age to 12, as recommended by the Berlin Conference. I do not believe it would in the result hurt my brother manufacturers in the North, for I believe that the rising generation of industrial hands would by a development of technical and evening continuation schools be enabled to grow

up far more capable than they are at present of maintaining the manufacturing supremacy of this country. My third objection is to Clause 13. I certainly think that to insert a 12 hours clause in an Act of Parliament as the recognised period of daily labour for women is a monstrous thing at this time of day. Of course, we shall in the Grand Committee have an opportunity of ventilating all these questions one by one; but I should have liked to have heard more expression of opinion from both sides of the House in reference to Clause 13, to the effect that the maximum number of hours during which women should be employed away from their homes should be 10 instead of 12. I have a word also to say as to Clause 7, relating to fire escapes. Although this is only a matter of detail, I cannot help making this protest, that if the lives of the operatives are so endangered that we ought to provide a second escape in case of fire, that it is quite as necessary in existing factories as in those which are to be erected after the year 1892. Either this second escape is necessary or it is not. If it is not necessary do not impose the obligation; if it be necessary, put upon us —the manufacturers—the obligation of providing it. I will only add a word about the doctors. After what has been said the Government will be obliged to give in. No one will be more surprised than the doctors themselves when they see the love and affection they inspire in hon. Members on both sides of this House. With regard to clause 17, as to the half day's holiday, I think a fourteen days' notice is too long, and that it will be well to reduce it to seven. In country districts the people sometimes do not know 14 days beforehand the occasion on which they may desire a half-holiday, and it would be better to require only a week's notice. As to the other details of the Bill I will not detain the House; I congratulate the Government on having brought in the Bill; it is a small but useful measure, and I congratulate the House that it has met with so much approval on the part of the Representatives and employers of labour. I can only hope that when this and the other Bill proposed by the right hon. Gentleman the Member for Bury (Sir Henry James) have been considered by the Grand Committee upstairs, the result will be the passage of a measure that will do at least something to make the lives of those who work in our factories and workshops more happy and more wholesome.

*(10.40.) MR. HINCKES (Staffordshire, Leek): I only desire to call the attention of the House to one point which I think is deserving the consideration of Her Majesty's Government. I know from my own experience as an Inspector of private adventure schools that a large number of schools were started for the express purpose of enabling the certificates to be given by means of which the children are allowed to go to work. It has hitherto been found hardly possible to suppress these schools which practically serve no other purpose, because the Factory Inspectors have been in the habit of recognising the certificates obtained from them as sufficient authority for sending the children to work. I hope we shall be enabled to obtain some assurance from the Home Office, that in future the Inspectors will be instructed to inquire into the character of these schools, and to refuse to recognise the certificates obtained from really worthless sources.

*(10.42.) MR. LENG (Dundee): If the half - time system is a bad system, then I represent one of the worst cities in the Kingdom; but if it be a good system then I represent one of the best cities, because I believe that in proportion to its manufacturing operations we have a larger number of half-timers in Dundee than are to be found in almost any other manufacturing town. The reason why I have risen to speak on this subject is that, on account of this large proportion of half-timers in Dundee, this question is a very serious one for my constituency. My own sympathies are all in favour of raising the statutory age at which children may be employed, but at the same time, I cannot but recognise the fact that if a sudden change were made, it might cause a serious derangement in the conditions under which the factory system is at present carried on. While we have in Dundee so large a number of half-timers, the employers have been exceedingly liberal in the erection of half-time schools; these have been in existence for many years, and having been efficiently conducted have produced the best possible results. Therefore, I think

the employers would object to any sudden change which would materially interfere with existing arrangements. I am aware, however, that outside the employers there is, especially among the Trades Union class, a general desire that the age should be raised. On the other hand, I am certain that if the parents generally were polled on the subject at the present moment, the majority would be found to object to this proposal. Therefore, I think, that in view of these varied interests it is desirable that while we should aim at raising the age, this should be done in the gradual manner which the hon. Member who represents one of the Manchester Divisions has recommended. I will only say one word upon the question of certifying surgeons. In connection with this half-time system, so eager are the parents, and so eager are the children to obtain employment at the earliest possible age, that there have been numerous cases in which the certificates have been transferred from those to whom they rightly belonged, to children of much younger years, who produced them, though really false certificates; and unless we have surgeons to check these certificates there is very little doubt that a very large number of children of much younger age than ought to be employed would be employed. I certainly agree that with these surgeons to attest the age of children there would be few children who would be employed at too young an age. I understood the Home Secretary in reply to my question to say that he has already the power to appoint women Inspectors, but that on grounds of nexpediecy, economy, and practicability, he did not see his way to exercise it. These reasons are generally advanced at the earlier stages of a new proposal. I can only say that feeling among the female operatives of Dundee is strongly in favour of the appointment of Inspectors of their own sex. A deputation of these female operatives waited upon me and my hon. Colleague, and they stated that they seldom if ever saw an Inspector, or if they did see him they had no opportunity of speaking to him. They added that there were numerous sanitary matters on which they would like to speak to Inspectors of their own sex which they could not well bring under the attention of a man. Of more than a million operatives engaged in factories, 700,000 are women, and yet there is not a single female Inspector. I am quite certain that the right hon. Gentleman, who spoke of economy, could employ a large number of women as Inspectors at rates with which they would be perfectly satisfied—and lower than are paid to the male Inspectors. There is no doubt that if you are to have an efficient system of inspection, especially if you extend the Factory Act to workshops, you must add to the staff of Inspectors. A number of well educated and intelligent women could be employed as Inspectors. The deputation of female operatives said that frequently some of their number were injured by pieces of machinery, but they had no opportunity of gaining the attention of the Inspector, who was generally talked over by the mill foreman. I am sure this work of inspection would be appropriate for those ladies who are leaving our colleges and universities, and for whose abilities there is at present some difficulty in finding an outlet.

*(10.52.) MR. BYRON REED (Bradford, E.): Mr. Speaker, I should like to impress upon the Home Secretary the necessity of considering very seriously the position of the staff of Inspectors at the Home Office. It is at present wholly inadequate to perform the duties which devolve upon it, and I hope the Home Secretary will be able to give some assurance to the House that, in the event of this Bill emerging from Committee in a form which will justify his acceptance of it, he will secure a sufficient staff to carry its provisions into effect. Considerable dissatisfaction exists among the working classes with the system under which Inspectors are at present appointed. The candidate for an inspectorship is called upon to pass an examination such as makes it generally impossible for a working man to become an Inspector.

MR. MATTHEWS: I do not know whether my hon. Friend is aware that the scheme of examination has been revised with the very object of meeting the case of working men.

*MR. BYRON REED: I was not aware of that. Has it been placed before the House as a Parliamentary Paper?

MR. MATTHEWS: No.

*MR. BYRON REED: Then perhaps the right hon. Gentleman will lay it on the Table and let the House have an opportunity of examining it. I desire to give earnest support to this Bill, and I hope that its details will be threshed out upstairs, with the result that we shall speedily have an improvement in our system of factory inspection, and above all a definition of the duties and areas of Inspectors responsible to the Home Department.

(10.55.) MR. BRYCE (Aberdeen, S.): The duties of Inspectors will be considerably increased by this Bill, and, seeing that the number of women employed in these factories exceeds the number of men, the right hon. Gentleman must no doubt be aware that there has been for a long time very much dissatisfaction among workwomen and among those interested in their condition, that there should not, among all the Inspectors, be one female Inspector. I can bear testimony to the interest which exists in this matter among a large number of workwomen. They feel that there are many matters connected with their well-being in workshops and factories which can only be inquired into by women. I believe frequent representations have been made on the subject by women's societies and trades' organisations, and I hope that the right hon. Gentleman will bear them in mind, and that if reasons exist in his mind against making this concession, he will state them to the House in order that we may be able to meet them. I certainly commend this matter of female Inspectors very earnestly to the attention of the right hon. Gentleman, assuring him that it will give us great satisfaction if he can see his way to make this amendment.

(10.58.) MR. MUNDELLA (Sheffield, Brightside): I am sure the Home Secretary must feel thoroughly satisfied with the discussion, and that it would have been a great mistake to have taken the Second Reading *sub silentio.* I congratulate him and the House on the tone and temper of the discussion, which has been free from any Party feeling. There has been no desire on either side to minimise the benefits of the measure or to deprecate the efforts of the Home Secretary, or to condemn severely any defects that the measure may exhibit. I am very glad in that respect that the House of Commons has not followed the example of some hon. and right hon. Gentlemen who sit on the Treasury Bench, and who, since this measure has been introduced, have made Party speeches, which I very much deplore, and which, if made in this House, would have set a very bad example. This question is above Party, concerning, as it does, our industries, and the physical, moral, and mental wellbeing of the great mass of the population. Now, Sir, while there are many features in the Bill which I am very glad to see, I hope when we get it upstairs we shall be able to amend it in certain others of its features. I confess to a feeling of disappointment, when I opened it, at its shortcomings. There are many shortcomings in the Bill. It does not, for instance, contain adequate provisions for dealing with the Report of the Sweating Committee and the dreadful disclosures which were made during the progress of the inquiry by that Committee. The proposals of the Bill in regard to this matter are extremely meagre. In the matter of the age of children the proceedings of the Conference of Berlin have been entirely ignored. The right hon. Gentleman, with a wave of his hand, disposed of everything done by that Conference. I congratulated Her Majesty's Government the first moment I heard that, at the invitation of the Emperor of Germany, they intended to go into the Conference. It was the first opportunity that England had ever had of going into an International Conference upon the labour question, and no country will gain so much by international cooperation on the labour question as England. It is our interest to bring other nations up to our level of factory legislation, and it is our interest, where they have gone beyond us in the protection and education of children, to follow their legislation and to try to come up to their level I congratulate the Government, therefore, on what they did. But I must say, also, I congratulate them, and I did so from the first moment, on the persons they appointed to represent them at Berlin. I have read the Report of the Conference over and over again, and have saturated my mind with it, which I am afraid the Government have not done—the right hon. Gentleman has not got the whole of the facts. I am grateful to the right hon. Member for Chatham for the admirable manner in which he conducted his part of the proceedings, and to the hon. Member for Morpeth and the hon. Baronet the Member for Manchester for the way in which they supported him. There is no more useful record on the labour question in modern times than is to be found within the limits of the Blue Book on the subject, and I wish that every Member of Parliament and every Minister on the Government Bench would inform themselves thoroughly of its contents. According to the Home Secretary there is no moral obligation on the Government, from what happened at Berlin, to carry out the agreement signed by our representative. The right hon. Gentleman said that, so far from our being in any way bound, Mr. Scott only gave his consent to the proposal as to age *ad referendum.* But if the right hon. Gentleman had pursued the Report a little further he would have found that Mr. Scott only made that statement in Committee of the Conference. The Conference was divided up into subsections, and Mr. Scott was appointed member of that sub-committee which dealt with child labour, and when they came to the question of raising the age he said he could not agree to it except *ad referendum,* and it was referred to Lord Salisbury. Sir J. Gorst, writing on the 13th of March, said that the sub-committee discussed the age of the admission of children to work in factories, and passed a resolution for the absolute limit of 12 years. There were eight votes in favour of the resolution, namely, those of Germany, Austria, Belgium, Denmark, France, the Netherlands, Sweden and Switzerland, and no votes against it; but the representatives of England, Spain, and Italy abstained from voting. Sir John Gorst added—

> "We are all, including our experts, in favour of the above resolution, and shall be glad to receive instructions as to whether we shall be supported in plenary conference."

Our Factory Inspector (Mr. Wimper) was in favour of it, as were also Mr. Birtwistle, who represented the operatives of Lancashire, the hon. Baronet the Member for Manchester, and Mr. Burnett, of the Board of Trade. Two days after, on the 15th of March, Lord Salisbury telegraphed that he approved the course proposed in the sub-committee. Sir J. Gorst wrote on the 25th of March that they understood they had his Lordship's authority to assent to three proposals which were in advance of our present law, namely, raising the minimum age of child labour to 12, raising the minimum age for underground labour to 14, and the cessation from labour for four weeks for a woman who had been confined. Lord Salisbury's answer was:—"Your attitude approved. You may consent to the proposals." Can anything be more explicit than that? There is no reservation about it. The right hon Gentleman has adopted in the Bill one of the proposals. He has adopted that relating to women, but he has not adopted that relating to children. Children have no votes, but their parents have; and I know the grounds of the right hon. Gentleman's action and have some sympathy with him. Twenty years ago I brought forward a Factory Bill. At that time children were employed in factories at the age of eight years, and in North of England towns — in Lancashire and Yorkshire — the sound of their little clogs could be heard passing through the street at half-past 5 in the morning, in order that the factory gates might be reached when the bell rang, and work might be commenced at 6 o'clock. I brought in a Bill to lower the hours of labour for women, and to raise the age of children. Some workpeople came to me and said that they needed the children's labour; and the employers also objected to the restriction. I told those people that it was at their request I had brought forward the Bill, and that I had inserted the clause which had been objected to on my own resolution; and I told them that if they opposed the clause raising the age of the children I would drop the entire Bill. I said "Take which you please." They allowed me to persevere, and I carried the Bill. The Government took the matter up in 1874—it became a test question at the elections, and we carried the Bill. How was it done? Precisely as you might carry this Bill, with provisions further restricting child labour. We did not do it rashly, proposing that the new provisions should take effect in a day or a year. What the right hon. Gentleman might now do is what Mr. Cross did when he was Home Secretary. The legislation was not sudden in its effect or retrospective. The children who were in the mills were allowed to remain there. After a year the age was raised to nine, and after two years to 10; and from that time to this there has not been a word of dissent uttered against the change. In the Bill the House is now discussing, as I have said, only one of the recommendations of the Berlin Conference has been adopted, although we are pledged to carry out those I have enumerated. What were the resolutions of the Conference as to child labour? They were seven—

"Children of either sex not having reached a certain age not to work in factories, and the limit of age to be fixed at 12 years, except in southern countries, where the limit may be 10."

All our representatives at the Conference objected to this limitation in the case of southern countries, and they fought the question persistently. The right hon. Gentleman opposite (Sir J. Gorst) objected to anyone in southern countries employing children of 10 years of age—we shall see what you do in India by-and-by—

"Children below 14 years of age shall work neither at night nor on Sundays, and their work shall not exceed six hours a day, and shall be broken by a rest of at least half an hour; children shall be excluded from unhealthy and dangerous processes unless effective measures are taken for their protection."

An hon. MEMBER: We are beyond them?

MR. MUNDELLA: How are we beyond them? We commence working children at 10 years of age; they recommend 12, and 14 in the cases I am referring to. There is nothing more discreditable than the low standards, the passing of which enable children to work half-time. It is not the fault of the Education Department. The right hon. Gentleman the Vice President of the Council (Sir W. Hart Dyke) is not in the Cabinet, and does not control the decisions of the Cabinet. I observe that the Vice President has not said a word in support of the Home Secretary's statement that half-time education is as good as whole-time education. He is far too shrewd a man. Now, what was the conclusion of the Conference after all the agreements were signed? The right hon. Gentleman (Sir J. Gorst) said—

"We can pledge ourselves for Great Britain. Our Government, faithful to its action in the past, will conform resolutely in the future, even if it does not go beyond them, to the benevolent resolutions of the Conference."

I wish the Government were willing to conform to the benevolent resolutions of the Conference. As it is an unpopular duty, I am quite prepared to have as much responsibility as the right hon. Gentleman (Mr. Matthews) pleases placed on the Opposition. We have already been instrumental in raising the age for factory work, and we are quite willing to take the responsibility of further action of the same kind. I want to know what is to be said about the effect of Royal Commissions? There is going to be a Royal Commission on Labour. Is it going to do anything, or is it to prevent anything being done? I hold in my hand the Report made by the Royal Commission on Education appointed by the Government in 1885. Lord Cross presided over it, and the Report was unanimously agreed to by every member of the Commission. The majority of that Commission were in favour of raising the minimum age of half-timers to 11 years. The minority would have been willing to go further, but in order to secure unanimity they agreed to that. Three years ago, then, a Commission reported that the half-time age should be raised to 11. Why does not the right hon. Gentleman accept that? That is surely not too advanced a step for him. I hope he will allow that alteration to be made in Committee. I would like to give the right hon. Gentleman a little encouragement on the point. Some years ago I was the guest of the late Sir Titus Salt, who was one of the largest manufacturers of Bradford goods in the world, and he impressed on me that the time had come for raising the age to 12. Immediately after the Report of the Berlin Conference was circulated I met one of the largest employers in Lancashire, Mr. Thomas Ashton, of Manchester, and he said he was quite prepared to go to 12 for half-timers. The right hon. Gentleman, therefore, need not be apprehensive of any great opposition if the alteration is made temperately and by steps. It was shown by the hon. Baronet opposite that the number of half-timers has decreased by nearly one-third during the last 10 or 12 years. That is because parents are now more in favour of education and are more considerate of their children. Surely the House ought to do what it can to educate public opinion, as was well said in the most manly and able speech of the hon. Member for Morpeth (Mr. Burt), and to encourage these temperate, wise, and thrifty parents by gradually raising the age at which children may be employed. The right hon. Gentleman said to-night that his desire was to bring all factories and workshops up to the same sanitary level. I wish that was likely to be the effect of the Bill, and I hope when the measure leaves the Committee that will be its effect. I should like the right hon. Gentleman to tell us whether he thinks that Clause 19 is likely to raise the standard. I hold no brief for the certifying surgeons. I have paid their fees for the greater part of my life, and I believe they have earned them well and done excellent service to the country. Lord Shaftesbury, when I spoke to him about certifying surgeons, was always strenuous in maintaining that their services should be continued. There is abundant evidence not only that they frequently reject children, but that their work has acted as a great deterrent against the employment of sickly, weakly, and diseased children. Parents know now that it would be useless to take such children to the certifying surgeons. In many cases evidence has been placed in my hands that children suffering from scarlet fever and other infectious diseases have been presented to and rejected by the doctor and sent home to be cured. Surely this is most important in the interests of the health of the country. I think the right hon. Gentleman has made a great mistake in this attempt to abolish the office of certifying surgeons. I do not say these gentlemen have done all they might have done, but I think that, instead of abolishing their office, the right hon. Gentleman might turn them to very much better account. They ought not to be retained merely for certifying the fitness of children for work. They ought also to occasionally walk through the factories and report to Her Majesty's Inspectors if they find any child in an insanitary condition or suffering from infectious diseases. I feel very strongly on these questions, because when I read the excellent addresses delivered at the Berlin Conference by men like M. Jules Simon, whose life has been devoted to improving the condition of the children of his country, and the admirably sympathetic response of my right hon. Friend opposite (Sir J. Gorst), I feel sure that if we are to make the people of this country a vigorous, happy, moral, and intellectual population we must begin by taking care of the children. The responsibility rests with this House. What we do in the present will decide the conditions of the future and the sort of population that will ultimately carry on the government of this country.

*(11.36.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I think that before this Debate closes the House ought to know what was resolved at the Berlin Conference before it accepts the strictures of the right hon. Gentleman. It would appear from the speech of the right hon. Gentleman that it was resolved at that Conference that until the age of 14 all whole-time work should be prohibited; but that was not the case. It was simply resolved that no child should be employed by night or on a Sunday, but except in that connection the age of 14 was not mentioned as the minimum age at all. The resolutions contemplated that children of 12 should have their hours of labour limited to 36 in the week, which is beyond the limit at present fixed by the law in England. Therefore, as regards children between the ages of 12 and 13, our law is better than that laid down at Berlin. At the age of 13, if a child cannot pass a given standard it may not be employed more than 28 hours a week in a textile factory, or 30 hours in a non-textile factory. But under the resolutions of the Berlin Conference any child between the age of 12 and 14 could be employed for 36 hours a week in any industry except mines. What, then, becomes of the reckless and indiscriminate charge that not one of the very important resolutions of the Berlin Conference has been given effect to? It is true that the first resolution—to the effect that children of either sex shall be excluded below the age of 12—is only partially carried out by the Government's Bill; but that is the only instance where the recommendations of the Berlin Conference are not fully realised. That Conference required that the children should satisfy the Local Authorities as to their education, and that those under 14 should not be employed at night. The Berlin Conference, too, fixed a higher maximum period of employment than this Bill, and it also

prohibited the engagement of children in unhealthy occupations, but so, too, does the existing Factory Act. The Government have simply carried out the understanding of the Berlin Delegates that, in giving effect to the resolutions of the Conference, the different countries shall be able to pay some regard to special difficulties and circumstances. Therefore, we are entitled to look at this Bill from that point of view. Side by side with the remedies proposed the mischiefs which call for those remedies ought to be considered; and before making a revolutionary change in the industries of the North of England, the English Government have a right to demand that, in the numerous other matters of health and danger dealt with at the Conference, foreign legislation shall be more nearly brought up to English standards. It ought to be remembered that in most of these matters foreign laws do not come up to our standard. The Government are ready to acknowledge the sympathetic spirit with which their sanitary provisions have been received, but it would have been fairer if hon. Members, when declaring the shortcomings of these resolutions, had specified what those shortcomings are. I venture to submit that they are very inconsiderable. The whole question of the sanitation of factories and workshops is almost inextricably complicated with the provisions of the health law. In the desire to get uniformity of administration the Government have been obliged to hand over the workshops entirely to the Local Authority, and in doing that they have revived and brought into operation a quantity of most important and valuable provisions which do not appear on the face of the Bill. It is only fair that this should be borne in mind. And now I come to matters of detail. With regard to the question of fire-escapes and the distinction between present buildings and future buildings, there is abundant precedent for it in the legislation of all times. Great structural alteratious cannot be enforced in existing establishments without reasonable inquiry into the necessities of the case. No such consideration, however, will hinder action in the case of future buildings, all of which will have to conform to a fully sufficient minimum standard of provision against fire. The hon. Member for

the Rhondda Division thinks there is not adequate provision for the fencing of machinery. But not only do we strengthen existing provisions in that respect, we also, by our Arbitration Clauses, deal with cases where for fencing purposes a great expenditure of capital may be necessary. As to overtime, it is only fair that the views of the public should be brought to our notice. It is undoubtedly necessary to provide against a standing increase in the hours of labour. The provision relating to certifying surgeons has not been put into the Bill by my right hon. Friend for his own amusement. It was urged upon his attention by the largest, most influential, most unanimous, and most widely representative deputation that I have ever seen — a deputation representing the employers and the employed in all the textile industries of the Kingdom. That deputation was introduced by the hon. Member for West Nottingham, and, remembering the speech delivered by the hon. Member this evening, I should like to know whether the hon. Member is still of opinion that these certificates are a meaningless form and a burden upon industry, and that they ought to be abolished.

*MR. BROADHURST: I said nothing of the kind.

*MR. STUART WORTLEY: That, at any rate, was the view of the hon. Member when he introduced the deputation. Some hon. Members have talked as if the present use of the certificate system is an effective safeguard against disease and infection; but that is scarcely ever the case. I submit that the conduct of the Government in waiting until public opinion has unmistakably manifested itself with regard to the minimum age of employment is not unreasonable. But there is no doubt the question is one which the Government are willing shall be considered fairly in Committee. But we desire that the decision come to shall be such as public opinion in this country will support and the necessities of our competition with foreign industries will justify.

(11.44.) MR. ESSLEMONT (Aberdeen, E.): I should like to make a suggestion with regard to the 19th clause. Could not the medical certificate be retained, and the charge for it be defrayed out of public funds? I think that would get rid of much of the objection to it. Also, I should like to know whether it would be in the purview of the Bill to move an Amendment bringing within its scope all engaged in sale shops. Such an extension would do away with the necessity for the Bill of the right hon. Baronet the Member for the London University.

Question put, and agreed to.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be referred to the Standing Committee on Trade, &c."

*(11.46.) MR. BYRON REED (Bradford, E.): May I venture to suggest that it would be better to refer this Bill to a Select Committee? It deals largely with questions connected with the textile factories, and I have found that on the Standing Committee on Trade there are scarcely any representatives connected with those trades. I make these observations for the purpose of calling attention to this matter, in the hope that the Government will see their way to strengthening the representation of the textile trades on the Committee.

(11.47.) MR. MATTHEWS: My hon. Friend may perhaps remember that the Committee of Selection have full powers to add members to the Grand Committee, and they will, no doubt, bear in mind the matter to which the hon. Member has referred.

(11.48.) MR. ESSLEMONT: Will the right hon. Gentleman answer my question as to extending the provisions of the Bill to persons employed in sale shops?

MR. MATTHEWS: It would not be within the scope of the Bill.

Question put, and agreed to.

SUPPLY.

Order read for going into Committee of Supply.

*(11.50.) MR. W. H. SMITH: I hope the House will allow the first Vote to be taken to-night.

MR. CAMPBELL - BANNERMAN (Stirling, &c.): I am afraid I can hardly support that request of the right hon. Gentleman. I believe that on the previous occasion the Vote was under discussion for less than an hour, and, anxious as I am to assist in passing the Army Estimates, I do not think we are justified in hastily agreeing to a Vote involving an expenditure of £5,500,000.

Committee deferred till to-morrow.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 182.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

ARCHDEACONRY OF CORNWALL BILL [LORDS.]—(No. 177.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(11.53.) Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Dillwyn.*)

*MR. F. S. POWELL (Wigan): I hope the Government will proceed with this Bill. The arguments were fully developed when it was last before us.

(11.54.) MR. LABOUCHERE (Northampton): The hon. Gentleman seems to think that when he has spoken the arguments are fully developed. I can assure him there are many more arguments on this Bill.

Question put, and agreed to.

Committee report Progress; to sit again to-morrow.

ASSESSMENT OF TAXES (REGULATION OF REMUNERATION) BILL.—(No. 221.)

Read a second time, and committed for to-morrow.

CUSTODY OF CHILDREN BILL [LORDS]. (No. 216.)

SECOND READING.

Order for Second Reading read.

*(11.56.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I hope the House will permit this Bill to be read a second time. It consists of three clauses, and removes difficulties which ought to be got rid of in the interest of all sects and creeds. At the request of the hon. Member for North Belfast the Bill stood over from last Session, and he was good enough to intimate to me that during the interval

it should be carefully considered to ascertain if there was any objection to it. I therefore hope the House will read the Bill a second time.

(11.57.) MR. SEXTON (Belfast, W.): I think most of the objections to the Bill have disappeared, but the present is not a very favourable time for consultation between my colleagues and myself, and I therefore hope the Attorney General will allow the matter to stand over, on the understanding that there will be no factious opposition to the Bill.

*SIR R. WEBSTER: Certainly.

Second Reading deferred till Thursday next.

FACTORIES (CERTIFICATES OF BIRTH) FEES) (BILL.—(No. 188.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. D. Randell.*)

*MR. STUART WORTLEY: As the hon. Member knows, the subject of this Bill has been embodied in the Bill discussed to-night. I understand that if the Second Reading is agreed to he will not proceed with the future stages of the measure.

*MR. D. RANDELL: I agree.

Question put, and agreed to.

Bill read a second time, and committed for Thursday next.

TECHNICAL INSTRUCTION BILL.—(No. 40.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir H. Roscoe.*)

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I hope the hon. Gentleman will postpone the Motion for two or three days, when I hope to be in possession of information which it is essential to have in considering the measure.

MR. C. T. D. ACLAND (Cornwall, Launceston): Would it not be possible to take this stage to-night? The County Councils are anxiously awaiting the Bill.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I object.

Second Reading deferred till Monday next.

Sir R. Webster

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT BILL.—(No. 2.)

Order for Committee read, and discharged.

Bill committed to the Committee on the Factories and Workshops Bill.

SCHOOL BOARD FOR LONDON (SUPERANNUATION) BILL.—(No. 49.)

Order read, for resuming Adjourned Debate on Question [10th February], "That Mr. Bartley be a Member of the Select Committee on the School Board for London (Superannuation) Bill."

Question put, and agreed to.

Mr. Causton, Sir John Colomb, Mr. Duncan, Sir Julian Goldsmid, Mr. Howell, Colonel Hughes, Mr. John Kelly, Mr. Lawson, Mr. Francis Powell, Mr. James Rowlands, Mr. Tuite, and Sir Richard Temple nominated other Members of the Committee.

Ordered, that the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Sir Richard Temple.*)

Ordered, That it be an Instruction to the Committee to consider the whole question of the Superannuation of Elementary School Teachers in England and Wales.

Ordered, That the Committee do consist of Eighteen Members.

Ordered, That Mr. Talbot, Mr. Arthur Acland, Sir Richard Paget, Mr. Mather, and Mr. W. F. Lawrence be added to the Committee.—(*Sir William Hart Dyke.*)

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.—(No. 57.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday, 3rd June.

PUBLIC HEALTH (LONDON) LAW AMENDMENT BILL.

On Motion of Mr. Ritchie, Bill to amend the laws relating to Public Health in London, ordered to be brought in by Mr. Ritchie, Mr. Secretary Matthews, and Mr. Long.

Bill presented, and read first time. [Bill 231.]

PUBLIC HEALTH (LONDON) LAW CONSOLIDATION BILL.

On Motion of Mr. Ritchie, Bill to consolidate the laws relating to Public Health in London, ordered to be brought in by Mr. Ritchie, Mr. Secretary Matthews, and Mr. Long.

Bill presented and read first time. [Bill 232.]

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 27th February, 1891.

FISHERY BOARD (SCOTLAND) BILL.

[H.L.]—(No. 17).

SECOND READING.

Order of the Day for the Second Reading, read.

*THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): My Lords, this Bill has been for some time before your Lordships' House, and I have now to ask you to give it a Second Reading. The object of the Bill is to alter and amend the constitution of the Fishery Board for Scotland. That Board as it at present exists was constituted under the Act of 1882, and it consists of nine members. Those members were all directly appointed by Her Majesty; three of them were bound to be sheriffs and one was nominated by Her Majesty to be Chairman of the Board. The alteration which I propose to make in the constitution of the Board is with the object of giving a more popular interest in its work. In order to show your Lordships the importance of the work which is undertaken by this Board, I should like to give very shortly some statistics showing the value of the fisheries as at present existing in Scotland. In 1889 the total value of the fish landed was £1,454,000, and the weight was 5,589,000 cwt., exclusive of the shell-fish, the value of which was £63,000, making a gross total with the other fish of £1,517,000. The number of boats employed off the coast of Scotland in fishing was 14,714, and their tonnage was 279,000 odd, representing capital to the amount of £1,603,000. The number of persons employed in connection with sea fishing on the Scottish coasts, exclusive of foreigners, was 109,757. Not only is the value of this fishing very great at this moment, but the importance of the sea fisheries is growing year by year, as will be seen by reference to the statistics of the herring fisheries. The number of barrels of herrings cured in 1889 was 7·63 per cent. above the average yearly number during the last ten years, 41·88 per cent. above the yearly average of the last 25 years, and 78·11 per cent. above the yearly average of the last 50 years. Furthermore, the growth of the herring fisheries has been advancing at an increasingly rapid rate. The increase of the yearly average for 1849-58 above that for 1839-48 was 15 per cent; for 1859-68, over 1849-58, 5·22 per cent.; for 1869-78 over 1859-68, 29·34 per cent.; and for 1879-88 over 1869-78, 55·63 per cent. I think those statistics will show your Lordships the very great value of the work which is superintended by the Fishery Board for Scotland. But not only are the direct interests of the fishery industry entrusted to them in Scotland, but they have also other indirect interests which they have wholly to superintend. Besides the carrying out of the numerous Acts regulating the Scotch Sea Fisheries, the Board has also the general superintendence of the District Boards created under the Salmon Fishery Acts. The entire herring-branding interest is under their control; and not only that, but they have funds under their control for the construction of harbours in Scotland and also for providing guarantees for the extension of telegraphs for the benefit of the fisheries, under the regulations of the General Post Office. As the work of the Fishery Board in Scotland is so very important it has now been thought desirable to give the Board a more representative and popular character than it has hitherto possessed. As I have already told your Lordships, under the Act of 1882 all the members of this Board were directly appointed by Her Majesty. What the Government propose to do under this Bill is still to keep the same number of members as formed the Board under the Act of 1882, but that out of that number only five shall be directly appointed by Her Majesty. The remaining four it is proposed shall be nominated and elected by the Committees for the four different districts of Scotland into which it is proposed that the Secretary for Scotland shall divide the whole country. The manner in which it is proposed to do this under the Bill is as follows: On the passing of this Bill the Secretary for Scotland shall, as soon as possible, divide the whole of Scotland into four separate

y Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

fishery districts; in each of those districts a local Sea-fishery Board or Committee shall be appointed, the constitution of which will be as follows: the County Councils in the different districts will appoint members, and the Royal and Parliamentary Burghs will also appoint members to act upon those local Sea-fishery Committees. The conditions under which these appointments are made and the number representing each body will be defined and decided by the Secretary for Scotland, in an Order which he will issue for the purpose. But in addition to those members of the Fishery Committees who will represent the County Councils and the Royal and Parliamentary Burghs, it is proposed that representatives nominated by the County Councils and by the Royal and Parliamentary Burghs shall be appointed representing directly the fishery interests. The proportions between the numbers of members representing the County Councils, those representing the Royal and Parliamentary Burghs, and those directly representing what may be called the fishery interest, and who may therefore be described as the "fishery members," will be settled by the Order of the Secretary for Scotland. When the Fishery Committees are appointed for each of the four districts into which Scotland is divided for the purpose of this Bill, each Committee will elect one member, who is to be their representative on the Fishery Board. Therefore, counting the five members who are to be appointed by Her Majesty and the four members, one representing each district, to be appointed by election in each of those districts, the total number on the Fishery Board will be nine, as at present. I think your Lordships will see that it is very desirable this change should take place in the constitution of the Fishery Board. Your Lordships may remember that four years ago I endeavoured to give a more popular and direct representation on the Fishery Board to different parts of Scotland, by appointing members from each district in Scotland, who should represent the interests of that district, and I am bound to say that the value of the work done by the Fishery Board has been very much increased by the arduous and self-sacrificing labours of the gentlemen thus appointed; but although that has done a great deal to meet the necessities of the fishery interests in Scotland, I think the time has now arrived when it is possible to give them a more direct and adequate representation on that Board. The mere fact of the passing of the Local Government Act for Scotland in 1889 has made it possible to institute a better state of matters altogether. Before the passing of that Act there were no local bodies in Scotland to whom could be entrusted the election of members to represent them on the Fishery Board; but now the whole circumstances have changed and you have a popular and representative body to whom this duty can, with great advantage, be confided. In proposing this alteration to your Lordships in the constitution of the Fishery Board, I should like to say one word in recognition of its services. In making this proposal I have not a single word to say against the work which has been done by the Fishery Board, as now existing, as constituted under the Act of 1882. The enormous amount of work they have done, the great number of very often conflicting interests which they have had to supervise, the extremely important duties they have had to undertake, the very large sums of money they have had to distribute to the satisfaction of those who are interested all over Scotland, and the generally satisfactory way in which they have performed all those duties show that they are deserving of high praise. I do not desire in any sense to be understood as meaning that I am not satisfied with the work they have performed; and it must be remembered that, with the exception of the Chairman of the Board and the Secretary, every one of those gentlemen have served their country without any remuneration. I do not think I need detain your Lordships with any further observations on the constitution of the Fishery Board. I think I have made it clear to your Lordships that Her Majesty's Government do not intend to alter the duties and responsibilities of the Board, the primary object of this Bill being as I have explained as far as possible and within proper safeguards to give a more popular representation on the Board to the different fishery interests in Scotland. There are a few additional powers and duties which I propose to impose on the Fishery Board, and they are powers which I think have become necessary in consequence of the Report issued by the Commission of which Mr. Marjoribanks, a Member of the other House, was Chairman. The duty with which it is proposed to invest them is the more careful protection of the mussel-beds in Scotland. I will not trouble your Lordships with statistics on the subject, beyond saying that the figures furnished from one herring fishery station show that for every 1lb. of fish caught, there is very nearly 1lb. of mussels used as bait, though the value of the fish is, of course, enormously in excess of the value of the bait. Now that Report brought out very clearly this fact, that there is a great want of proper bait for fishing purposes on the East Coast of Scotland. The bait has to be brought from a great distance, some from the South, some from the West, and some from abroad. Not only that, but the mussel-beds now in existence are being destroyed for want of proper supervision. There is no authority to control the use of them at present, and they are being absolutely destroyed for want of proper supervision over their use by those engaged in the sea-fisheries. Under this Bill it is proposed to give the Fishery Board power to protect and take care of the mussel-beds which are now in existence, and so to increase and cheapen the supply of bait. Your Lordships will understand from the enormous amount of fish caught that there is considerable waste and destruction of mussel-beds. It will make a great difference to the fisheries if those engaged in them are unable to get their supplies of bait at a reasonable cost, and at present the cost of those means for carrying on the fisheries seems to become greater as time goes on. There is now no public authority charged with any responsibility in the matter, and in the public interest it is very desirable that some means of control should be given for the protection of the mussel-beds. For that purpose there can be no better authority than the Fishery Board. There is only one other matter to which I need refer, and that is with regard to the powers of the Fishery Board for branding herrings caught off the Coast of Northumberland. Some years ago the Fishery Board were in the habit of branding herrings caught on the English Coast, but, owing to recent legislation, they came to the conclusion that they had no power to continue that practice any longer, and that they had been acting in excess of their powers. The result has been a considerable loss to the herring fishery off the Coast of Northumberland, because the fact of their being branded by the Fishery Board gave them greater value in the foreign markets. The object of the additional powers conferred by this Bill is to enable them to continue that practice which they have abandoned for some years past. This clause has, I may state, been introduced at the special request of those interested in the herring fisheries off the Northumbrian Coast, and with the entire concurrence of the Board of Trade, who are primarily interested. I think I have now gone through the main proposals of this Bill, and I believe it to be a measure which will very greatly increase the power for work and usefulness of the Fishery Board for Scotland. It will also, I think, have a very good effect generally in improving the fishing interests and increasing their value in that country, especially in view of the endeavours which Her Majesty's Government are prepared to make to foster and develop the fishing interests of the West Coast of Scotland. For all these reasons I think your Lordships will not decline to give a Second Reading to this Bill.

Bill read 2^a (according to Order), and committed to a Committee of the Whole House on Thursday next.

BUSINESS OF THE HOUSE.

Ordered, That the evening sitting of the House on Tuesday next and on all subsequent Tuesdays during the present Session do commence at half-past five o'clock, unless the House shall otherwise order.

House adjourned at ten minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 27th February, 1891.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL (GENERAL POWERS) BILL. (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir J. Lubbock.*)

*(3.10.) MR. MORTON (Peterborough): On a former occasion I opposed the Second Reading of this Bill.

*SIR J. LUBBOCK (London University): Perhaps if I may be allowed to interpose I can say a word or two upon the subject of the Second Reading of this Bill, which I think may probably save the time of the House. The fact of the case is that the London County Council have consented to omit the clause which proposes to take part of Clapham Common for building purposes. Although it is called Clapham Common the proposal was to take a piece of land which forms no part of the main Common, but is simply a piece of out-lying ground of a triangular shape. At the present moment we have a Fire Brigade Station on that piece of ground, which is large enough for the fire-engines, but it is not adequate for the accommodation of the men and horses, and, it is obviously desirable that the men and horses should be in the same place as the fire-engines, so that in case of fire they may reach the spot as soon as possible. The Council are, however, always anxious to meet the views of the Local Authorities and the residents, and they have been given to understand that there is a general feeling against taking any more of what may be termed the Common. The omission of the clause will, to some extent, increase the danger of fire; but as the Local Authority wish it omitted, we do not propose to insist upon it, but will withdraw it in Committee. I therefore trust that the hon. Member will not press the Instruction of which he has given notice.

*(3.12.) MR. MORTON: If it is understood that the London County Council assent to the Instruction which I had intended to move later on for the omission of Sub-section B of Clause 6 I have nothing further to say. But I do not understand from the promoters of the Bill, in the Paper which they have circulated to-day, that that is so. All they say is that they will withdraw it in Committee, but we who oppose the clause have no wish to incur the expense of going before a Committee at all. Let me explain what my position is in regard to this matter.

(3.13.) MR. COURTNEY (Cornwall, Bodmin): May I be allowed to interpose for a moment. If an arrangement is made in this House by which the promoters undertake to withdraw a particular clause, it is just as binding as an Instruction to the Committee to omit the clause.

*MR. MORTON: I am not quite satisfied, and I hope that I may be allowed to make a statement. The right hon. Gentleman the Member for London University (Sir J. Lubbock) has said that the action we are taking in this matter may interfere with the work of the Fire Brigade. That is not so. The right hon. Baronet says that this piece of land is not a portion of the Common. I think there is no doubt that it is. It is shown on the plans in the office of the London County Council as being part of Clapham Common, and it is not quite so small as the right hon. Baronet has suggested. The piece scheduled by the London County Council is 1,400ft., or nearly one-third of an acre. I am aware that it is not intended to use the whole of it, but the Council propose to take the whole.

*SIR J. LUBBOCK: I merely pointed out that it was an outlying piece of land on the verge of the Common, and, speaking on behalf of the London County Council, I have already given the hon. Member an assurance that this part of the clause will be left out.

*MR. MORTON: I am quite prepared to accept that offer, but I was desirous of showing that in 1878 the then Metropolitan Board of Works, who always took great care of this Common, actually gave us notice that we must give up our temporary occupation of this very piece of land. At that time we did what the

London County Council ought to do now on their part—we removed a stone yard from that site, and purchased a piece of land for a stone yard in another part of the parish. Another complaint I have to make against the London County Council is this: They never recognised us as the Local Authorities until we gave notice in this House of opposition to the present Bill. A letter sent by the Local Authorities last year was not even replied to, and it was only when it was found that we intended to oppose the Bill upon the Second Reading that we received a recognition; and yet we now find that our views are to be assented to. As I have now an assurance that it will not be necessary for the Local Authorities to go to any expense in appearing before the Committee upstairs I shall be quite satisfied to withdraw the Instruction which was put down in the interests of the Local Authorities and of the people who reside in the vicinity of Clapham Common.

(3.15.) MR. BOULNOIS (Marylebone, E.): I think that the Instruction may now be withdrawn after the explanation of my right hon. Friend the Chairman of the London County Council that nothing will be done to interfere with Clapham Common. I may say that this morning I received an intimation from the Local Board stating that, in view of the concession which the promoters of the Bill are prepared to make, they intend to withdraw their Petition against the Bill.

*MR. BARTLEY (Islington, N.): May I ask whether any decision has been come to in regard to the notice which stands on the Paper in my name to omit Clauses 58, 59, 60, 61, 62, 63 and 64 from the Bill?

*SIR J. LUBBOCK: I am afraid that on behalf of the London County Council I must resist that Instruction.

Question put, and agreed to.

Bill read a second time, and committed.

*(3.20.) MR. BARTLEY: I have now to move—

> "That it be an Instruction to the Committee to omit Clauses 58, 59, 60, 61, 62, 63 and 64 from the Bill."

These clauses propose to enable the London County Council to provide a superannuation and provident fund for the provision and payment of other allowances on death, superannuation, resignation, retirement and discharge to persons who have been taken into the employment of the Council since the 21st of March, 1889. I object entirely to the way in which this scheme has been introduced into the Bill. It is an Omnibus Bill, which proposes to give the London County Council a number of powers of various kinds, and it involves a very comprehensive scheme of pension and superannuation allowances to the officers of the Council. In the past we have had various schemes for this object introduced into Parliament—for instance, in the case of the London Police, when the subject was introduced in a Government Bill and in a scheme which was proposed by the hon. Member for Evesham (Sir R. Temple) for the officers of the London School Board. But this scheme for the superannuation of the officers of the London County Council instead of being brought in as a public measure is tacked on to a Private Bill with various other proposals in connection with the Council. It will be referred in due course to a Committee upstairs and it will be there fought out; but the scheme will not be necessarily examined in any way as to the basis of the actuarial valuation, or upon the lines upon which such a scheme of superannuation ought to be considered. I have referred to the scheme of pensions and superannuation allowances for the officers of the School Board, and I cannot see why the two schemes should be treated in a wholly different manner. As a matter of fact, this scheme is a very large one. The number of persons employed by the London County Council is, I am told, something like 4,000. Therefore the scheme is a very large and important one. It is not like the ordinary superannuation scheme of a Railway Company or of a bank where the whole cost is paid by the company themselves; but in this case we are asked to sanction a scheme mixed up with certain other proposals which is to throw one half of the cost upon the local rates of London. So far as the Bill itself is concerned, I find that it contains no real scheme at all. I have been informed privately that the London County Council have a scheme before them, but it has not been scheduled in the Bill, and no information is given to us as to the basis on which that scheme is founded. All that we know is that unlimited power is given to the London County Council to do exactly what it likes. I know that I shall be accused by the hon. Member for West St. Pancras (Mr. Lawson) of attacking the London County Council. But I do not think it is attacking the County Council to say that it is only reasonable they should show us, some way or other, what the scheme is and how it is to be worked. Is it to be a scheme like that which was put into the London School Board Bill, in which an actuarial valuation was made an incident of the scheme without having undergone a sound examination. I object to any scheme being propounded until we know what that scheme is to be, and can have it laid upon the Table of the House, so that we may give an opinion upon it. Some of the clauses contained in the Bill are of a very startling character. The London County Council are to have power to frame this superannuation scheme, and they are to have the power of contributing one-half of the superannuation fund from the rates. Individually, I do not object to that proposal, but I find that the London County Council is to have, of its own *ipse dixit*, the right to say which of its officers shall belong to the fund, and which shall not. The Council is to be able to disqualify any person from going upon the fund, or to allow others to belong to it, just as it likes. I do not think that Parliament would be justified in handing over to the London County Council the right of saying to its *employés* that one shall be allowed to join, but that another shall not; and in that way to have a discretionary power to prescribe who may join and who may not. One of the clauses of the Bill says that there are to be a set of rules laying down who are to contribute and be benefitted by the fund, and who are to be disqualified from becoming contributors and participators in the benefits. I think it is only right to know whether it is to be a compulsory or a voluntary scheme. Indeed, it is a matter of essential importance that we should know that fact. Then, again, the London County Council is to have a discretionary power,

dismissing any person from the benefits of the scheme whenever it may think proper; also to divide the fund into different classes, and to remove any contributor from one class to another. I would ask the House to remember what the fund is that we are going to ask the *employés* of the London County Council to contribute to. It is a fund for the superannuation of officers, and we are asked to give the County Council a discretionary power, when they dismiss an officer, whether for a fraudulent cause or not, to decide whether any part of the money he has contributed shall be returned to him. I maintain that the essence of a fund of this nature is that the money taken from a man's salary belongs to him whatever may afterwards occur. It is quite clear that the Council ought to have no discretion in the matter at all, but that a fund deducted from the salaries of individuals should go absolutely to the persons from whom the money has been taken. Although I know there is a difference of opinion as to the allocation of that part of the fund which is contributed from the local rates, I hold that you have no right to take a benefit away, paid for at one period of a man's life, because that person subsequently has done something wrong. There are a great number of points concerning this fund which I think ought to be threshed out by a Select Committee on the basis of some tangible and distinct plan. The right hon. Baronet opposite says that it has been considered undesirable in a scheme of this kind to go into details; but in Clause 60 the Bill descends to the smallest detail, and prescribes that copies of any scheme in force under the Act shall be supplied at a price not exceeding 6d. to any person in the employ of the Council interested in the fund. I propose that it shall be an Instruction to the Select Committee to omit all the clauses relating to the superannuation scheme. I think that they ought to be embodied in a separate Bill. It is said that a separate Bill would increase the cost; but the scheme of the County Council, in reference to sky advertisements, has been introduced as a separate measure, although it might reasonably have formed the subject of clauses in an Omnibus Bill. The question of pension and superannuation allowances, following former precedents, ought to form the subject of a separate and distinct measure. I am afraid, unless I have satisfactory assurances, that I shall be compelled to press this Instruction to a Division.

Motion made, and Question proposed, "That it be an Instruction to the Committee to omit Clauses 58, 59, 60, 61, 62, 63, and 64 from the Bill."—(*Mr. Bartley.*)

*(3.25.) SIR J. LUBBOCK: I can make no complaint of the manner in which my hon. Friend opposite has brought forward this Instruction. At the same time I hope the House will not consent to it, but will allow these clauses to go to a Committee upstairs, by whom they can be thoroughly investigated. When the London County Council came into existence they found that there was already a scheme for pensions and superannuation which had been going on for some time under the auspices of the Metropolitan Board of Works. There were certain difficulties in connection with that scheme, and the County Council felt that without interfering with any of the servants already employed, it would be wise to place the matter upon a more satisfactory footing. They therefore made inquiries into the system adopted by other municipalities, by the great Railway Companies, and other large bodies, and having obtained the necessary information, they prepared the scheme which they now ask Parliament to sanction in order to enable them to put it into operation. The hon. Gentleman opposite says that the House ought to have an opportunity of considering whether, from an actuarial point of view, the scheme is satisfactory. But the scheme is one that does not require any actuarial calculation; practically, what it comes to is this: the *employés* of the London County Council make contributions out of their own salaries to a fund, and the County Council supply an amount equal to that contributed by the officers themselves. There is no need, therefore, for any actuarial valuation in the matter.

*MR. BARTLEY: Is that in the Bill?

*SIR J. LUBBOCK: No; but I make the statement by way of explanation. Then, my hon. Friend says that the scheme may lead to an increase of the rates. That cannot be the case, because under the system in force, when the County Council was established the whole amount of the pensions was paid out of the rates, whereas if this Bill is passed practically one-half only will be paid out of the rates, while the other half will be contributed by the officers. The hon. Member wishes the rules and regulations to be laid down in the Bill. This is not usual, and, moreover, we have found under the old system considerable difficulty in determining what the real meaning of the Acts of Parliament was. We have been put to much legal expense in endeavouring to ascertain this, and we therefore propose to leave the County Council to decide what are the classes of servants who are to be brought under the operation of the scheme. Surely, if London is to have a County Council at all, that is a detail of administration which the House may well entrust to them. As to the return of the contributions of those who have ceased to contribute to the fund or to be in the service of the County Council it is proposed that when an officer leaves voluntarily he should receive back the whole of his contribution with compound interest. But in the case of a person who has been discharged for fraud, we thought that the amount standing to his credit in the fund should be utilised for the purpose of making good his defalcation as far as possible.

*MR. BARTLEY: What clause is that?

*SIR J. LUBBOCK: It is not in the clauses of the Bill, but it is part of the scheme. If we were to put all these provisions into the Bill it would make it a very complex measure, and would involve the London County Council in a serious expenditure besides occupying the valuable time of the House in an unnecessary discussion. The terms of the Bill have been very carefully considered, and it is for that reason and not from a desire to keep any details back from the knowledge of the House, that I think it is not advisable to put them in the Bill. Of course all this information will be completely open to the Select Committee upstairs, from whom there is no desire on the part of the London

County Council to keep anything back. All that I ask the House to do now is to allow the Bill to go to a Select Committee for its consideration. If the Instruction were carried the County Council would be precluded, for some time to come, from awarding any pension at all; and all those who have been in the habit of dealing with large organisations will agree with me that unless there is some system of superannuation allowances and pensions the result is the adoption of the undesirable and expensive system of keeping on *employés* long after they have ceased to be fit for work. All these matters have been carefully and thoroughly considered, and when the Bill comes back from the Select Committee, if it is not satisfactory my hon. Friend will have an opportunity of bringing the subject forward again. I hope that after this explanation the hon. Member will not press the Instruction.

*(3.30.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I certainly sympathise to some extent with the remarks which have fallen from my hon. Friend the Member for North Islington (Mr. Bartley). At the same time I hope that he will not press the Instruction he has moved, but will allow the Bill to be considered by a Select Committee upstairs. So far as the alterations proposed by the Bill in connection with superannuation are concerned I think they will commend themselves to the approval of the House. The London County Council inherited from the Metropolitan Board of Works a definite system of superannuation, so that they can give superannuation now, but the whole of it is provided out of the rates. The County Council are bound by a scale which is very much like that of the Civil Service.

*MR. LAWSON (St. Pancras, W.): It is the Civil Service scale.

*MR. RITCHIE: It is proposed by the present Bill that some provision shall be made for contributions towards the fund from the servants themselves. That is a principle which the general tendency of public opinion favours, and it is one which I think will commend itself to hon. Members in most parts of the House. Therefore, so far as that alteration is concerned, I am disposed to regard it as a distinct improvement upon the existing state of things. What I think is not an improvement is this: at present there is a distinct scheme upon which the London County Council are bound to give their superannuation and pension. There is no definite scheme whatever in this Bill.

*MR. LAWSON: That will have to go before the Committee upstairs.

*MR. RITCHIE: It ought not only to be put before the Committee, but I think it ought to be included in the Bill with all its main features. At the same time, I would ask my hon. Friend not to press the Instruction, because I believe the Select Committee will regard the matter from very much the same standpoint, and that in dealing with the question they will consider it desirable that some of the main features of the scheme ought to be included in the Bill itself. If the Instruction is not agreed to and the Amendment is not proposed, the Bill will come back to the House in a more satisfactory shape than that in which it will leave the House. There is another matter upon which I desire to say a word, namely, the exclusion of the Government Auditor from any control or supervision over these superannuation allowances. Parliament has given to the Auditor of the Local Government Board the power of auditing the accounts of the London County Council, and I think it would be an unfortunate thing if we were to exclude this particular item from his audit. I trust that the Committee upstairs will direct its attention to that point.

(3.36.) MR. J. R. KELLY (Camberwell, N.): Before the Bill is disposed of I desire to say a few words. I want to know what the position of the ratepayers is. I do not agree altogether with the Bill as it has been submitted to Parliament by the London County Council, and I think that Clause 51, which repeals the Act for the acquisition of Raleigh Park in Brixton, ought to be omitted. So far as the superannuation of the officers of the London County Council is concerned, I fail to see upon what principle the ratepayers of London should be called upon to contribute one-half of the fund. If the London County Council wish to deal with the matter and will bring in a specific Bill, I do not see why they should not do so; but surely the ratepayers are entitled to be considered and to have a voice in the matter. I certainly cannot see any analogy between the servants of the London School Board and those of the County Council, and I want to know what real objection there is to dealing with the question by a separate Bill. Why is this Bill to be chucked at the head of a Committee without any details whatever? The right hon. Baronet opposite objects to an actuarial calculation.

*SIR J. LUBBOCK: What I said was that in this case an actuarial calculation was absolutely unnecessary.

MR. J. R. KELLY: I understood the right hon. Baronet to object to the observations made by the Mover of the Instruction, as to the absence of an actuarial calculation. The ratepayers of London will have to make good any deficiency that may arise in any actuarial calculation. Are the London County Council to be treated differently from any other body of employers? Are the ratepayers to be represented or not? They are represented in the Council, and some of their representatives have seats in this House, but in no other way are they represented here. But if the County Council suppress all the details of their measure, the ratepayers will have no representation here at all. I fail to see why they should not be represented generally, in addition to their representation on the Council. In the absence of a complete scheme the ratepayers will have no voice in the matter, and I hope the hon. Member below me will press the Instruction he has moved.

*(3.40.) MR. COURTNEY: I should like to say a word or two in consequence of what has fallen from the right hon. Gentleman the President of the Local Government Board. He thinks that a scheme of superannuation ought to have been included in the Bill. Now I have had to deal with several Private Bills brought in by the great Railway Companies in which the question of superannuation has been introduced, and it has always been an important point for consideration whether schemes of superannuation ought or ought not to be incorporated in such Bills. Personally I have always found myself incompetent to judge or express an opinion as to the actuarial accuracy of the scheme submitted to me. The Committee to which this Bill will be referred, may have precedents to guide them and larger powers, but I confess that I entertain some doubt whether their opinion will be of much value. I have often felt that something ought to be done in the matter, and that safeguards should be inserted in Private Bills dealing with cases where servants retire in consequence of a reduction of staff, or from being dismissed for misconduct, or when they retire of their own free will, so that they may not be deprived of the entire benefit of a fund to which they have largely contributed. I have no doubt that the London County Council will provide safeguards to prevent abuse, and conditions might be inserted in the Bill that such safeguards shall be provided, but I cannot think that their full scheme ought to have been inserted in the Bill. Hitherto, in the case of London, the rates have supplied the fund, and the proposed alteration does not constitute a reason why the entire scheme of the County Council ought to have been presented. I have thought it right to utter a word of caution in consequence of the great weight attached to the words of the right hon. Gentleman opposite, especially when I heard him say that, in his opinion, it might be expedient after all to incorporate the scheme in the Bill.

*MR. BARTLEY: On the undertaking which has been given that an outline of the scheme will be submitted to the Committee, and time will be allowed to consider it, I beg to withdraw the Instruction.

Motion, by leave, withdrawn.

LONDON OVERHEAD WIRES BILL
(*by Order*).

Order for Second Reading read.

Motion made, and Question, "That the Bill be now read a second time,"—(*Sir J. Lubbock,*)—put, and agreed to.

(3.45.) SIR ROPER LETHBRIDGE (Kensington, N.): I beg to move that it be an Instruction to the Committee to which the Bill is referred to consider the advisability of amending the Bill so that its provisions may be in accordance with Part II. of the Public Health Acts

Amendment Act, 1890. It will be in the recollection of the House that when this Bill was presented in another form I, as a Metropolitan Member, took a strong objection to it. It then contained a clause which enabled overhead wires to be forced on the occupiers of houses whether they liked it or not. In the Bill as it has now passed the Second Reading, that objectionable clause has disappeared, and as I was the Member who moved the rejection of the Bill at the former period, I have put this Instruction on the Paper partly to mark the fact that those Metropolitan Members who formerly objected to the Bill now consider—and I think I may speak for most of them—that the Bill in its present form, if not entirely unobjectionable, is much less objectionable than the former measure. I find that the most objectionable clause, namely, that which allowed overhead wires to be put up whether people liked it or not, has disappeared from the Bill, and I am free to admit that that fact has taken out the whole of the sting of our objections to the measure. As the Bill in its present form is admitted to be a compromise, it has been represented by various interests concerned that, on the whole, the compromise would be more satisfactory and a more complete and fair one all round if the Committee upstairs were to be instructed to assimilate the provisions of the Bill, as it affects the Metropolis, to the provisions of the law which affect the provinces generally. The Public Health Acts Amendment Act of last year was passed after a great deal of careful consideration of the interests involved in the measure, and I believe it has been found to work satisfactorily in the various great cities of the provinces where its provisions are needed. It seems to me that, as these provisions have now been satisfactorily tried elsewhere, they may fairly be extended to London. I do not wish, on behalf of the Metropolitan Members, to lay very great stress on the difference in the Bill as it stands and as it would be amended if this Instruction to the Committee is carried out. The Instruction only directs the Committee to consider the advisability of making certain changes in the Bill. It will be seen that it gives the fullest and freest discretion to the Committee to leave the Bill as it stands, simply indicating the advisability of their considering the provisions of the general law as they affect the provinces. For these reasons I venture to move the Instruction, in the belief that it is one which will commend itself to all the interests concerned in the Bill.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to which the Bill is referred, to consider the advisability of amending the Bill so that its provisions may be in accordance with Part II. of the Public Health Acts Amendment Act, 1890."—(*Sir Roper Lethbridge.*)

(3.48.) GENERAL GOLDSWORTHY (Hammersmith): I felt it my duty to object to the former Bill; but I should not object to the present Bill if the Instruction moved by the hon. Member were adopted. I believe that the Telephone Company would themselves welcome such an Instruction. My objection to the original measure was that I am opposed to any proposal to give to the London County Council or the Telephone Company power to place overhead wires on the houses of people who object to them.

*(3.49.) SIR J. GOLDSMID (St. Pancras, S.): There are one or two points of the Bill which it strikes me will require careful consideration. I myself should object to the Telephone Company or any other company placing standards on my houses in order to carry on the means of public communication either in the shape of electric lighting or telephones, if they are to be constantly subject to inspection. I know from experience and to my cost what is meant by this interference and inspection. It is of no use to say that notice is given of the visits of the Inspectors; I should certainly order all standards to be removed from my property if they are liable to constant inspection. Clause 8 provides that—

> "The Local Authority may charge every company and person owning any wire, placed or retained overhead, after the passing of this Act, such reasonable fees in respect of the identification, and such reasonable annual charges in respect of supervision of wires as shall be fixed by the bye-laws hereinafter provided."

It seems to me that this is something like adding insult to injury. The company is not to be asked whether the wires require inspection but the County Council is to claim the right of numbering them and of charging persons who do not want the inspection a fee for carrying it out. I certainly think that such a provision is not warranted by the circumstances of the case. In other cases of inspection the public employs the officer who makes the inspection and pays him, and there is no ground whatever for charging a fee. Clause 10 provides by-laws for regulating the position of the wires, the manner in which repairs and alterations are to be made, and other matters which certainly deserve the careful attention of this House. I was in America two years ago and I found that telephonic communication was much more general there than it is in London; and I was told that the reason was that the facilities given to the Telephone Companies and others are far greater than in England, and especially in London. I think that the officers of public bodies should not have power to check improvements in the Metropolis, or so prevent the necessary increase of a system which has become so useful. I do not say that it would be so; all I say is that it might be so, and in that case the question of bye-laws is one that is likely to be of much interest to this House and to the public. We certainly ought to know what the powers are which we are placing in the hands of the London County Council. I do not say this from any feeling of distrust of the County Council. I agree that in many things they ought to exercise supervision on behalf of the ratepayers; but I do not think it is advisable to give them powers which may interfere with the extension and development of telephonic communication.

*(3.53.) MR. LAWSON (St. Pancras, W.): The hon. Member for South St. Pancras (Sir J. Goldsmid) objects to the 10th clause of the Bill. I may inform him that it has been modelled on the recommendation of a Committee of this House in 1889. Here there is no system of inspection of overhead wires whatever, and it was the fear that we might have in this country as lax a system as that which prevails in America which has induced the County Council to insert this clause in the Bill.

MR. ESSLEMONT (Aberdeen, E.): I rise to order. It appears to me that the speeches we are listening to are Second Reading speeches, and are not directed to the Instruction before the House.

*MR. SPEAKER: The Bill can only be discussed as far as it is affected by the Instruction.

*MR. LAWSON: As I have already stated, the provisions of this Bill are in exact conformity with the recommendation of a Select Committee, and therefore its principle has already received the approval of the House. I trust that it will be allowed to go to a Committee without this Instruction.

*(3.55.) SIR J. LUBBOCK: My hon. Friend the Member for West St. Pancras (Mr. Lawson) is quite correct that the clause which has been condemned is a clause which was inserted in the Bill in deference to the opinion of a Committee of this House. As to the complaint made by the hon. Member for South St. Pancras in regard to the charge of a fee for inspection, I may explain that the fee is charged to the owner of the wire, and I think it is only right that the owner should pay for the inspection. It is perfectly true, as is stated in a circular issued by the Telephone Company, that there have been no instances of fatal accidents in the Metropolis from overhead wires, and that is very creditable to the company; but I believe there are a large number of derelict wires which do not belong to the company, and it is in regard to them that some inspection is required. I am not clear that the Instruction which has been proposed is really required. I think the Committee would be fully able to do all that is desired without any Instruction being passed; but, at the same time, the County Council do not object to the Instruction if it is understood that the hands of the Committee are not to be tied and that they may decide as they deem proper, after hearing the evidence. As to the advisability of introducing into London the provisions which are carried out in the provinces, I must remind the House that in many respects the circumstances of the provinces are altogether different from those of London.

(4.0.) MR. H. H. FOWLER (Wolverhampton, E.): The House will remember that some time ago I ventured to move an Instruction to the Police and Sanitary Committee on Private Bills that they should sanction no provision which would interfere with the general law, and at that time I called attention to the provisions of the Public Health Acts Amendment Act which was passed last year. The provisions of that Act were considered by a large and strong Select Committee, and among other things they deal with overhead wires; but the law which is considered proper for the rest of England does not apply to the Metropolis. Although it may, to some extent, impose a limit on the power of the London County Council, I think that where the general law of the land has been clearly laid down by this House, and is in operation in Manchester, Liverpool, Glasgow, Birmingham, and other great cities, London ought to submit to the same provisions. The only objection I have to the Instruction moved by the hon. Member for North Kensington (Sir Roper Lethbridge) is that it only asks the Committee to consider the advisability of amending the Bill, whereas I think it ought to be made mandatory. Of course, as the right hon. Baronet the Member for the University of London (Sir J. Lubbock) has pointed out, the Committee can consider the advisability of amending the Bill without any Instruction at all. I therefore propose to amend the Instruction by striking out the words "consider the advisability of amending" in order to substitute the word "amend," making it a mandatory Instruction to the Committee to carry out the provisions of the Public Health Acts Amendment Act, 1890. I do not see why this Committee should have more power than the Police and Sanitary Committee.

Amendment proposed, to omit the words "consider the advisability of amending," in order to insert the word "amend."—(*Mr. H. H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(4.3.) MR. F. S. POWELL (Wigan): The House may remember that in conjunction with the right hon. Gentleman opposite I took part in conducting through this House the Public Health Bill of last year. The new law has been adopted in most important districts in the country; and in making the application of Part II. general in London we are only acting upon the principle which Parliament has largely adopted, of having one universal law. Since the Public Health Acts Amendment Act was passed last year it has been adopted, according to the information which has reached me, in no less than 180 towns, some of them the largest in the country, including Manchester and Salford. I think that this House ought to feel confidence in the provisions of this Part, as they last year received the approval of the Board of Trade and the Post Office. May I add that many of the objections which have been urged to-day were raised before the Committee upstairs, but did not prevail.

(4.5.) MR. COURTNEY: When the proposal of my right hon. Friend (Mr. H. H. Fowler) was made the other day to pass a cast-iron Instruction absolutely forbidding the Police and Sanitary Committee from considering any matter which interfered with the Act of last Session, I ventured to express a doubt as to the expediency of adopting that Instruction. I was satisfied from the experience I had gained that it might prove extremely inconvenient, and that it might hamper the progress of improvements in provincial towns in matters of this kind. My right hon. Friend now wants, in a most stringent way, to take the Code of Regulations in respect of overhead wires as adapted to provincial towns and impose it *en masse* on the London County Council, without allowing that body to go before the Committee and represent in what particulars, if any, it is undesirable to adopt it. If the House agrees to accept this proposal, and decides that the Committee shall under no circumstance make a variation, I venture to think that it will fetter the Committee in a very unwise way. I think that the Amendment which my right hon. Friend has proposed is open to a very serious question as to its advisability as a matter of Order. We require strict notice of an Instruction, and no Instruction has been put on the Paper more than an empowering Instruction telling the Committee that it is to have power to do that which it has power to do already. Without any kind of notice my right hon. Friend springs upon the House a mandatory Instruction. If that is not out of order it is certainly against the principles upon which our Rules of Order are founded. At any rate, if for that reason only, I think the

Debate should be adjourned. What is now proposed is that we shall say to the London County Council, "If you desire to deal with overhead wires you must adopt, without the slightest variation, the Code which we have laid down for provincial towns." I deprecate the adoption of the Instruction, either in its original or amended form. I think that the Committee, while approaching the question with a knowledge of what has happened in the House, should be unfettered.

(4.8.) SIR ROPER LETHBRIDGE (Kensington, N.): After what has fallen from the Chairman of Committees I should like to point out to the House that the Instruction was purposely worded so as to indicate that the Bill in its present form, as amended by the Instruction, would be a compromise fairly agreeable to the whole of the House; and, secondly, it was purposely worded in such a way as to indicate that the Committee upstairs ought to have power to hear what the London County Council has to say in defence of its position. To impose a mandate upon the Committee in the way the right hon. Gentleman opposite has proposed would be quite contrary to the view I had in placing this Instruction on the Paper. I am, therefore, sorry to say that I cannot in any way accept the Amendment, but after what has been said by the Chairman of Committees, I think the simplest plan will be for me to withdraw the Instruction and to allow the issue to stand simply as between the Amendment of the right hon. Member for Wolverhampton and the Bill.

*MR. SPEAKER: The Instruction moved by the hon. Member for North Kensington is to empower the Committee to consider the advisability of amending the Bill. The Amendment is a mandatory Instruction to the Committee to amend the Bill. I am of opinion that that is an alteration which would not be in order.

MR. H. H. FOWLER: I quite see, Sir, the force of what you have said, and I at once bow to your decision in the matter. I shall withdraw the Amendment, but I cannot consent to the withdrawal of the Instruction as it stands. I think it would be an undesirable course to send the Bill to a Select Committee without any Instruction at all.

Amendment, by leave, withdrawn.

Main Question again proposed.

*(4.10.) SIR J. LUBBOCK: I may remind the House that London was expressly excluded from the Act of last Session, and under these circumstances the County Council did not take as much interest in it as they would have done otherwise. Under these circumstances, it is desirable that they should have an opportunity of suggesting to the Committee the reasons which, in their judgment, render some modifications desirable in the case of London.

*MR. SPEAKER: Does the hon. Member for North Kensington propose to withdraw the Instruction?

SIR ROPER LETHBRIDGE: Yes, Sir. [*Cries of* "No!"]

(4.12.) The House divided:—Ayes 99; Noes 83.—(Div. List, No. 69.)

Ordered "That it be an Instruction to the Committee to which the Bill is referred to consider the advisability of amending the Bill so that its provisions may be in accordance with Part 2 of 'The Public Health Acts Amendment Act, 1890.'"

QUESTIONS.

LABOUR STATISTICS.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the President of the Board of Trade whether he is preparing any fresh Return similar to "Labour Statistics, Returns of Expenditure by Working Men," presented in 1889; and, if not, whether, considering the probability that information will be more readily obtained since the former Return has made clear the objects of the inquiry, and considering the importance of the information which would be given by such a Return if including a sufficient number of instances, he will give orders for the preparation of such a Return?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The subject to which the hon. Member refers has not been lost sight of, and I hope that a continuation in a more complete form of the Return in question may be prepared at no distant date. But the Department is so pressed with work at the present time that I do not feel able at the moment to give any distinct pledge in the matter.

LETTER DELIVERY IN UPPER HOLLOWAY.

MR. BARTLEY (Islington, N.): I beg to ask the Postmaster General whether he is aware that letters from Ireland reaching Euston at 6.15 a.m. are not delivered in Upper Holloway till between 12 and 1 p.m.; and whether he will take steps to secure their delivery by the early morning delivery?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): It is the case that in Upper Holloway, as in all the more remote London suburbs, the letters reaching Euston Station by the Irish Mail at 6.15 a.m. are not received in time to be included in the first delivery commencing at about 7.30 a.m. The letters are not sufficiently numerous to warrant a separate delivery, but I will inquire whether it may not be practicable to make the second delivery take place earlier than it does at present.

THE VACCINATION COMMISSION.

MR. DE LISLE (Leicestershire, Mid): I beg to ask the President of the Local Government Board if the Royal Commission upon the working of the compulsory Vaccination Acts have come to any definite conclusions; and whether there is any hope that their Report will be submitted to the consideration of Parliament during the present Session?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have been in communication with the Royal Commission appointed to inquire into the working of these Acts, but there is no hope that their Report will be presented to Parliament this Session.

THE ADMIRALTY DEPARTMENT.

MR. SEAGER HUNT (Marylebone, W.): I beg to ask the First Lord of the Admiralty whether there are in the Admiralty Department any vacancies in the higher grade of the Second Division of clerks to which, under the Order in Council of 21st March, 1890, promotion should be made; and, if so, why the vacancies have not been filled?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): There is a vacancy in the higher grade caused by the non-promotion of a Second Division clerk who has reached the £250 limit. The question of filling that vacancy is now under consideration, and the fittest man will be selected.

PRESS] AND PRIVATE TELEGRAMS.

MR. JAMES MACLEAN (Oldham): I beg to ask the Postmaster General whether his attention has been called to a statement in the *Journalist* newspaper, in which attention is called to the inconvenience of the present practice of the Postal Telegraph Department in using one system of counting messages for the Press, and another for private messages; for instance, "thirty four" is charged as one word, and 34 as two, although the transmission of the one word involves the use of 28 telegraphic signs, and of the two figures only 10 signs; "1890" is charged as four words, but "eighteen ninety" as two, although 27 telegraphic signs are required for the two words, and only 20 for the figures; whether his attention has been called to the saving of official time which would result from an abolition of the higher charges for telegraphing figures as compared with words; and whether he will consider the advisability of doing away with a regulation of which Press correspondents complain, and causes some loss to the State?

*MR. RAIKES: Before the introduction of the rate of a halfpenny a word for ordinary telegrams, the regulations governing the charge for figures in those telegrams and in Press telegrams were the same, every figure being counted and charged for as a separate word. At the same time, all addresses were sent free. When the halfpenny rate came into operation, the addresses of ordinary telegrams were no longer sent free; and, chiefly as a concession to those who had to send telegrams to houses bearing numbers composed of several figures, it was decided to charge for five figures as a single word. But in the case of Press telegrams the addresses were still sent free, and as many as 75 words of text during the day and 100 words during the night could still be sent for a shilling, whilst a copy of a telegram of the same number of words was telegraphed to any separate town for a charge of 2d. No change, then, having here been made, there appeared to be no ground for a concession in the case of Press telegrams, which were already the subject of such enormous privileges.

THE PLATTERS ROCKS.

MR. THOMAS LEWIS (Anglesey): I beg to ask the President of the Board of Trade whether the Government has yet decided as to the removal of the Platters Rocks, at Holyhead Harbour, which, according to the answer given last Spring, was then under consideration; if so, what conclusion have they come to; and, if not, when are they likely to decide the matters finally?

*SIR M. HICKS BEACH: The matter to which the hon. Member refers is still under the consideration of Her Majesty's Government, but there are considerable difficulties in the way which have not yet been overcome.

THE ARCHBISHOP'S THRONE.

MR. CAVENDISH BENTINCK (Whitehaven): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the Archbishop's Throne which was presented to Canterbury Cathedral by Archbishop Tenison, and which was supposed to have been lost, has been found, and set up in the Library of the Cathedral, instead of being restored to its original position; and whether he will, on behalf of the Department of Science and Art, apply to the Dean and Chapter of Canterbury for the loan of this beautiful and interesting work, in order that it may be preserved in the Kensington Museum, and placed in a position where it can be seen by the public?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am much obliged to my right hon. Friend for recurring to this subject, and will make inquiries at once as to how far it may be possible to act upon his suggestion.

THE STRIKE AT CARDIFF.

SIR EDWARD REED: I beg to ask the Secretary of State for the Home Department whether his attention has been called to a resolution passed by the workmen on strike at Cardiff, complaining of the conduct of the Stipendiary Magistrate in cases arising out of the labour dispute; whether he is aware that the Stipendiary Magistrate of Cardiff is the brother of Sir William Thomas Lewis, with whom the Cardiff workmen are chiefly at strife; and whether it would be possible to make some temporary arrangement by which another Magistrate might be appointed to whom the administration of justice as between the workmen and their antagonists could be entrusted? I also beg to ask the right hon. Gentleman if he can inform the House how many cases arising out of the Cardiff strike have been heard by the Stipendiary Magistrate at Cardiff since the 30th of January, stating the number of acquittals, convictions, and committals for trial respectively that have resulted therefrom?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Stipendiary that the only knowledge he has of the resolution is derived from a local newspaper, from which it appears that a man who had been committed for trial that day presided at a meeting of men on strike, and passed a resolution condemning the Magistrate in terms too vague to admit of a definite reply. The Stipendiary is the brother of Sir William Lewis, but he is not aware that the workmen are chiefly at strife with the latter, most of the cases tried by him having arisen from labour disputes in which the Dock Company, of which Sir W. Lewis is manager, is not directly concerned. I have no reason to believe that the conduct of the Stipendiary has been otherwise than strictly impartial and in accordance with the rules of law. His decisions are subject to review by superior tribunals, and the administration of justice can be safely left in his hands. Since January 30, 37 cases arising out of the strikes have been heard by the Stipendiary; 19 persons have been committed for trial, 17 of whom have been allowed bail; 10 have been convicted, one of whom has appealed; three have been bound over to be of good behaviour, and five have been acquitted.

ARMENIA.

MR. LEVESON GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether there are at the present time a large number of Armenians imprisoned in various parts of Turkey as political suspects; and whether, if this be the case, they are aware of the nature of the specific charges, if any, upon which these men are respectively imprisoned?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): In January 1,876 prisoners were set free at Constantinople. They were mostly individuals whose trial had not been completed. In the same month a number of Armenians were arrested at Erzeroum on charges of sedition. In February information was received of arrests of Armenians in the Adana Vilayet suspected of belonging to a Revolutionary Committee. There are also reports of arrests of Armenians at Marash, Hadjin, and Koyan. Her Majesty's Government are not aware of the specific charges on which the several individuals are imprisoned.

MR. LEVESON GOWER: I beg to ask the right hon. Gentleman whether Her Majesty's Government are in possession of any information throwing light upon the statement in the Constantinople correspondence of the *Daily News* of February 24th, to the effect that the Turkish Government is forming with great celerity in Armenia six regiments, composed of Kurds and Circassians, and that the military commander of Van has issued a large supply of Martini rifles to the Kurds of that Province, who are said to be patrolling the country; and whether, having regard to the serious nature of such a statement if correct, the Government will, if without recent information upon these points, take steps to obtain it with as little delay as possible?

SIR J. FERGUSSON: No such information has been received, but inquiry will be made as to whether there is any foundation for the report.

THE CALAIS-BRINDISI MAILS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he has any record of the number of bags of mails sent from this country across France and Italy, from Calais to Brindisi, and of the number of bags of mails received in this country by the Calais-Brindisi route in the year 1880; and whether he has any record of the number of bags of mails so sent from and received in this country in the year 1890; and, if not, whether he will apply to the Railway Companies for information on the subject?

*MR. RAIKES: According to the records of my Department, the number of bags of mails of the description referred to in the hon. Member's question was as follows:—Mails despatched—1880, 23,567; 1890, 45,725. Mails received—1880, 8,722; 1890, 18,431.

POSTAGE TO THE AUSTRALIAN COLONIES.

MR. HENNIKER-HEATON: I beg to ask the Postmaster General whether, now that the postage on letters sent from the United Kingdom to Australasia has been reduced from 5d. to 2½d. per half-ounce, it is intended to maintain the charge of 2d. for a postcard (only one halfpenny less than a letter) sent from this country to the Australasian Colonies?

*MR. RAIKES: The 2d. rate was fixed for postcards from Australasia to the United Kingdom at the Postal Conference, which was held at Adelaide last year, and it would have been inconvenient to adopt a different rate in the opposite direction. The postage, therefore, remains for the present at 2d. in both directions.

INDIAN POSTCARDS.

MR. HENNIKER HEATON: I beg to ask the Postmaster General whether now that the postage on letters sent from the United Kingdom to India has been reduced from 5d. to 2½d. per half-ounce, it is intended to maintain the charge of 2d. for a postcard sent from this country to India and Ceylon; and whether he is aware that the Ceylon Post Office charges 1d. for a postcard, which can be sent to the United Kingdom or to any other part of the world, and that the charge for a postcard from France to India or Ceylon is also 1d.?

MR. RAIKES: In view of the circumstances adverted to in my previous answer, I think it will be the better course not to deal separately with the Indian postcards. I do not, however, deny that the facts mentioned by the hon. Member appear to constitute some valid reason for effecting a change in the present rate when a favourable occasion occurs.

POTTERY WORKMEN IN GLASGOW.

Mr. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether his attention has been called to the case of the proprietors of Campbellfield Pottery, Glasgow, who some 11 weeks ago intimated a reduction of wages, and, the same not being acquiesced in by the workmen, gave notice to quit not only to these workmen, but to such members of their family as were employed in the pottery; whether he is aware that the day the workmen received their notice to quit the foreman of the pottery stated that, if the workmen did not agree to the masters' terms, they would not get work in any other pottery in Glasgow; whether the places of these workmen have been filled up by the employment of other workmen; whether the workmen so dismissed applied at other potteries requiring workmen, but were informed that no employment would be given to any workman who had been dismissed from Campbellfield Pottery; whether it is lawful for masters to conspire or to combine together not to employ certain workmen who have been dismissed from employment, and whose places have been filled up by the employment of other workmen, and with whom no trade dispute can be said to exist; and whether he will take steps to enforce the Criminal Law on the subject?

*The SOLICITOR GENERAL for SCOTLAND (Sir C. Pearson, Edinburgh and St. Andrew's Universities): No, Sir; the Lord Advocate's attention has not been called to this case. If any one conceives that a criminal offence has been committed and desires the Lord Advocate's consideration of it, his proper course is to lodge information with the authorities in the usual way.

MIDNIGHT INTERMENT.

Mr. BRUNNER (Cheshire, Northwick): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a paragraph in the *Manchester Guardian*, of the 21st instant, headed "Disgraceful Scene at a Midnight Interment," which states, that on the occasion of the funeral, at midnight, of the late Colonel Richard Dyott, some time a Member of this House, the public houses in the district had been granted an extra hour's extension; that during the ceremony there was a scene of wild excitement; that there was a rush of some thousands to gain admission to the church; that 40 members of the county police force were present; that the doors of the edifice were closed to prevent the place from being stormed; and that in the *mêlée* a Police Inspector had one of his fingers nearly bitten off; whether he will ask for a Report from the Chairman of the Local Bench upon the circumstances; and whether he will instruct the Magistrates as to the impropriety of extending the hours for the sale of intoxicating liquors on such an occasion?

Mr. COGHILL (Newcastle-under-Lyme) had the following question on the Paper: To ask the Secretary of State for the Home Department whether his attention had been called to the following paragraph in the *Globe* newspaper, of Saturday, 21st February, under the heading "Midnight Funeral of an ex-M.P.:"

> "The public houses in the district (Lichfieldr had been granted an extra hour's extension fo the occasion, and the vast assembly viewed the affair as some fête day. Directly the coffin was conveyed into the church there was a rush by some thousands to gain admittance. Some members of the county police force made an endeavour to keep back the crowd, and for some time intense excitement prevailed. Eventually the doors of the edifice were closed in order to prevent the place being stormed. In the *mêlée* one of the Police Inspectors had a finger nearly bitten off. It was long after midnight ere the crowd dispersed, but no further disorder occurred;"

and whether he will communicate with the Magistrates of Lichfield as to the impropriety of granting an extra hour's extension to the public houses on that occasion?

Mr. MATTHEWS: I will answer this question and that of the hon. Member for Newcastle-under-Lyme at the same time. It is not the fact that the public-houses of the district had all been granted an extension. One hotel only, opposite the church, was allowed an hour's extension for the accommodation of persons coming from a distance to see a very unusual ceremony. Everything was quiet and orderly at this hotel. The Chief Constable informs me that the accounts of what took place have been much exaggerated. There was a rush of persons to gain admittance when the procession passed into the church, and it was necessary to close the doors. Beyond this there was no disorder, and all passed off quietly. The Magistrates inform me that in granting the extension to one house they considered the convenience of the public, and that they were justified in so doing. I see no reason to doubt the propriety of the way in which they used their discretion on this occasion.

WOOLWICH AND SANDHURST EXAMINATIONS.

SIR H. ROSCOE (Manchester, S.): I beg to ask the Secretary of State for War whether he is aware that it has been stated that, in the competitive examinations for admission to Woolwich and Sandhurst conducted by the Civil Service Commissioners, the maximum number of marks allotted to the various subjects are, in effect, not adhered to; whether he is aware that public attention has recently been drawn to this by the conference of head masters, in regard to Woolwich, in the following terms:—

> "The mark assigned as the maximum for subjects nominally of equal value is very illusory. It is not the maximum assigned but the average mark attainable that decides the choice of subjects, and at present the proportional weight assigned to different subjects is very unequal. For example, it will be found that during the last five or six years the average percentages of the maximum obtained by successful candidates are 34·06 in Latin, 29·15 in Greek, 38·7 in French, 35·8 in German, 28·65 in Experimental Science;"

and whether, if these statements are correct, he will undertake that in future the highest mark attainable in each subject shall be raised to the allotted maximum of that subject, as is usual in other examinations, so that the relative value of the several subjects shall remain that indicated in the regulations?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Civil Service Commissioners, who conduct the examinations for Woolwich and Sandhurst, inform me that the highest number of marks allotted to any subject is, and always has been, attainable by the candidates. Every care is taken by the examiners to mark answers on all subjects in the same ratio to absolute accuracy, though the process presents great difficulty. It has been found, however, that the average knowledge of some subjects exceeds that of others; and, without expressing any opinion as to the accuracy of the figures quoted from the head masters, it may be admitted that Greek and physical science have been at the bottom of the list as regards proficiency. The percentage of the maximum obtained in experimental science is, nevertheless, gradually advancing. During the last five years its average has equalled that for Latin, and last year the percentage exceeded it.

THE CONSTRUCTION OF LIGHT RAILWAYS IN IRELAND.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that great disappointment and discontent have arisen in connection with the construction of light railways in Ireland, owing to the fact that employment is given entirely at the discretion of engineers and gangers, who are strangers to the localities in which the works are proceeding, and who have not the local knowledge requisite to enable them to distribute employment so as to effect the purpose of alleviating distress; whether any provision has been made by which contractors are bound, in employing men, to give the preference to those most in need; whether any such provision will be made in future contracts; and whether, in order to secure the employment of the poor by system, instead of, as at present, by mere chance only, the Government would arrange that employment should be given upon lists made up by local officials who have knowledge of the condition of the poor, such lists to be revised by the local clergy?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not think the hon. Member has been rightly informed as to the feelings with which the light railway construction has been received in Ireland. It would be impossible, and, in my judgment, most inexpedient even if possible, to limit the control of the engineers and contractors over the men they are employing. Neither should I think of interfering with their choice of gangers. My own belief is that gangers not connected with the locality and having no local ties and interests are much more likely to be impartial than residents in the district from which the workmen are drawn. The advice of local officials, based as it is upon their own observation and upon information obtained from local clergy and others, has been largely acted upon, I am glad to think, by the contractors. But it would be unwise to bind them to take lists made up by local officials who have knowledge of the condition of the poor. In several of the contracts the contractors have bound themselves to execute works involving as much unskilled labour as possible, and to employ, as far as practicable, able-bodied persons living in the district in which the works are being constructed. The Reports I have received from the various lines indicate that the persons employed are in the main drawn from the class requiring relief.

GOLD MINING ROYALTIES.

Mr. W. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Chancellor of the Exchequer what are the names of the five mines which have paid royalties on gold obtained in Wales since 1885, and what are the respective amounts of royalties which have been paid by them; which of such mines are on private lands, and which are on Crown lands; what amount of money has been paid to the Woods and Forests Office since 1885, for dead rents and for solicitors' fees and charges respectively, for the 447 leases and licences to work for gold and silver in Wales since 1885; what is the minimum and what the maximum charge for dead rent on Crown lands and private lands respectively; and what is the minimum and what the maximum charge of the solicitor to the Woods and Forests for a lease to work for gold or silver on Crown lands and private lands respectively?

*The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): I will give the hon. Member the names of the mines so far as I am able to pronounce them. The names of the five mines and the royalties paid by them since 1885 are as follows:—Morgan Gold Mine, £1,574 4s. 3d.; Tynllwyn Gold Mine, 9s. 6d.; Castell Carndochan Gold Mine, £3 9s. 7d.; Geselcwm-Bach (parish of Llanelltyd), 2s. 10d.; Moel Ispri (parish of Llanelltyd), 4s. 4d. The first, third, and fifth of these mines are on private lands. As regards the third paragraph of the hon. Member's question, the payments for dead rents amount to £1,626, and those for solicitors' fees and charges to £1,528. The charge for dead rent depends upon circumstances, and the Commissioner of Woods does not bind himself to either a minimum or a maximum charge. The minimum charge for leases is £4; the maximum charge depends upon circumstances, but does not exceed that authorised under the Solicitors' Remuneration Act, 1881.

Mr. W. PRITCHARD MORGAN: I should like to ask whether the right hon. Gentleman is aware that the Woods and Forests Commissioners charge as high as £25 or £30 for a nominal lease granted to a man to work gold on his own land?

*Mr. GOSCHEN: I am not able to give the information without notice. The hon. Member has not moved for the correspondence about the Morgan Mine; but if he moves I will lay it on the Table as I proposed on the 5th instant.

Mr. FENWICK (Northumberland, Wansbeck): Would not more mines be worked but for the excessive royalties charged by the Crown?

*Mr. GOSCHEN: That is a very interesting question. It is quite probable that if a less royalty were charged the persons who would otherwise pay the royalty would be able to sell their rights for a higher price to a company to work the mine. The result would be that the taxpayers would lose, while the particular person to whom the lease was given would be able to gain something better out of it. That has been the case in one or two instances.

Mr. W. PRITCHARD MORGAN: I should like to know whether, out of the 447 leases granted by the Crown, only these five have been worked at all?

*Mr. GOSCHEN: I have given the hon. Member all the information with which I have been supplied.

Mr. W. PRITCHARD MORGAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Chancellor of the Exchequer charges a royalty of 5 per cent. on gold obtained in Ireland; and whether he is prepared to recommend a reduction of such royalties, in conformity with the expressed desire of Her Majesty's Government to foster and encourage industries in Ireland, and in order to encourage those desirous of developing the mineral resources of Ireland?

Mr. A. J. BALFOUR: This is not a matter which has engaged my attention; but if the hon. Member will give me such information as will lead me to believe that there are gold mines in Ireland. I will undertake to look into the matter.

Mr. J. O'CONNOR (Tipperary, S.): Is the right hon. Gentleman aware that, in comparison with its area, there has been a larger quantity of gold found in Ireland than in any other country in Europe; that from the discovery of gold in Wicklow in 1796 down to the destruction of the mines in 1798 the amount of gold produced equalled £10,000, and that during the first half of this century £100,000——

*Mr. SPEAKER: The hon. Gentleman is entering into an historical statement.

Mr. SEXTON: May I ask whether the right hon. Gentleman deems it necessary to still maintain the royalties if he really doubts the existence of gold in Ireland?

Mr. A. J. BALFOUR: A question as to royalty should be addressed to the Chancellor of the Exchequer, but what I am doubtful about is whether there are any gold mines in Ireland which would be worked if the royalty were abolished.

Mr. J. O'CONNOR: Let me ask whether the right hon. Gentleman will bring this matter, say, before the Lord Lieutenant, with a view to reducing the royalties?

Mr. W. PRITCHARD MORGAN: Is the right hon. Gentleman aware that the hon. Member for Cork has lately expended many thousands of pounds for the purpose of opening gold mines in Ireland, and is it not the fact that other persons have obtained leases from the Crown?

Mr. A. J. BALFOUR: I do not know to which of the hon. Members for Cork the hon. Member refers. I have not heard that any of the hon. Members for Cork have spent thousands of pounds in order to seek for gold.

EMIGRATION TO BRAZIL.

Mr. de LISLE (Leicestershire, Loughborough): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have received reports of the prospects of British subjects emigrating to Brazil, and have they taken any steps to make known to the public the true state of the case?

Sir J. FERGUSSON: Her Majesty's Government are informed that inducements are being held out to people in this country to emigrate to Brazil, and 333 are reported to have sailed between the 1st of January and the 21st inst. I am informed by the Emigration Information Office that constant inquiries are being made about free emigration to the southern districts of Brazil. We are not in possession of trustworthy information as to the prospects of British immigrants in those provinces. Last month Her Majesty's Minister was directed to report upon the subject, and some days ago a telegram was sent to hasten his reply. As regards the districts north of Rio, we are informed that they are very unsuitable for British immigrants, whether agricultural labourers or artisans, who would probably experience disappointment and endless sufferings. A few domestic servants might find employment with European families, but their number must be inconsiderable. It should be understood that the British Consuls cannot give relief in money to distressed immigrants, and that in cases of dispute with their employers they will be dealt with according to local laws, which will be very different to those to which they have been accustomed. All the information possessed by the Foreign Office has been sent to the Board of Trade and Emigrants' Inquiry Office, by whom cautionary notices have been inserted in the newspapers; but I shall be glad if my hon. Friend's question may be the means of inducing all persons to make full inquiry before emigrating to Brazil, whether as farmers or labourers.

MAGISTRATES' CLERKS AND SOLICITORS.

Mr. CHANNING (Northampton, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the statement made recently at the Liverpool Assizes by Mr. Justice Wills, to the effect that the practice of Magistrates' Clerks acting as prosecuting solicitors in cases where they have a direct interest in the number of convictions, is an "abominable system;" and whether he will consider the advisability of legislating to prohibit this practice, and to provide for Justices' Clerks salaries not having any definite proportion to the number of convictions in their Courts?

MR. MATTHEWS: Yes, Sir. I have seen the statement of the learned Judge. The practice condemned by him is that of Clerks to the Justices acting as prosecuting solicitors in the cases of persons as to whose committal they have at an earlier stage advised the Justices. If they afterwards prosecute at Sessions or Assizes, and thereby earn the allowance for costs, it may be alleged that they have an interest in obtaining as many committals as possible. But their salaries as Clerks to the Justices are not affected by the number of convictions. The practice is, no doubt, theoretically indefensible, and I will consult the Attorney General on the question whether it produces any practical evils calling for legislation.

PRISON STOREKEEPERS AND CLERKS.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department whether he has received through the Prison Commissioners the Petition of the Storekeepers and Clerks in prisons; and, if so, whether he will assent to their request to include such officers in the Second Division Scheme?

MR. MATTHEWS: Yes, Sir; I have received such Petitions. There are strong reasons against including these officers in the Second Division Scheme, and their inclusion was not contemplated by the Treasury Minute referred to in their Petitions. The whole question of the pay and status of the clerical establishment of the prisons have recently been the subject of a careful and exhaustive inquiry, and I am not disposed to re-open the settlement which was arrived at after much consideration at the end of last year, and under which substantial advantages are given to this branch of the Service.

TELEGRAPHIC COMMUNICATION AT SAWTRY.

MR. FELLOWES (Hunts, Ramsey): I beg to ask the Postmaster General whether his attention has again been called to the very serious loss and inconvenience experienced by the inhabitants of Sawtry (Hunts), and the adjoining parishes of Glatton, Connington, and the Giddings, owing to the absence of telegraphic communication; whether he is aware that the inhabitants of these parishes, about 2,300 in number, have to send three miles, and in some cases four miles, to the telegraph office at Stilton; and whether, taking into consideration that the main wires run along the North Road, within a quarter of a mile of Sawtry, he will now consent to the establishment of a telegraph office in that parish?

*MR. RAIKES: Since my hon. Friend wrote to me in July last my attention has not again been called to the question of the extension of the telegraphs to Sawtry. In answer to a question which he put to me in this House about 18 months ago, I explained that the main wires could not be made available for serving a telegraph office at Sawtry. I shall be very glad to have further inquiry made, but I fear that, unless the circumstances have altogether changed, it will only be possible to establish a telegraph office at Sawtry if the residents are prepared to enter into a guarantee. Perhaps I may take this opportunity of explaining to my hon. Friend and the House that in cases of telegraphic extension the Postmaster General has no option or alternative as to the course which he is bound by Treasury regulations to follow, and this is only one of many purely administrative matters in which his discretion is absolutely superseded by the control of the Treasury.

MR. FELLOWES: May I ask whether the right hon. Gentleman will bring before the Treasury the question of the great difficulty experienced in finding in poor country parishes a sufficient guarantee; and whether he will allow the receipts from telegrams coming in to go towards the guarantee fund, in the same way as the receipts from telegrams going out are allowed?

*MR. RAIKES: I shall be very happy to make the representation to the Treasury; but I do not know with what success it will meet.

SPHERES OF INFLUENCE IN AFRICA.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether the Commissioners charged by the British and French Governments with the delimitation of the boundaries of the British and French spheres of influence in Africa under the Anglo-French Agreement have begun their work, and what progress they have made?

SIR J. FERGUSSON: The Commissioners have met, and are making progress.

IRISH CONSTABULARY FORCE FUND.

SIR THOMAS ESMONDE (Dublin, Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the money subscribed to the Constabulary Force Fund by a Constabulary pensioner, on retirement as a pensioner, is lost to him; whether pensioners are compelled to subscribe as long as they live; whether compensation is based upon actual time of service; and whether any Resident Magistrates have been compensated, or have received money, from this Fund; and, if so, to what amount?

MR. A. J. BALFOUR: I hardly understand the inquiry in the first paragraph of the question. I may say, however, that it is altogether optional with a pensioner from the Royal Irish Constabulary whether he will continue a subscriber to the Constabulary Force Fund. A married man continuing a subscriber secures for his family the same claim as they had against the Fund while he was actively serving. Pensioners are not compelled to subscribe. Married pensioners, however, almost invariably do so. On the other hand, men retiring from the force unmarried, or without families surviving, do not subscribe, as they have no family to be benefited. The scale regulating gratuities from the Fund is based upon the total amount of salary and pension received, and consequently upon the contribution paid to the Fund by the subscriber. My answer is, of course, confined to the case of persons appointed to the Royal Irish Constabulary prior to the Act of 1883. As regards the last paragraph, I understand that prior to 1836 there existed a small body of Police Magistrates who belonged to the Force and subscribed to the Fund, which they continued to do after the title and *status* of their appointment was changed to Resident Magistrates. In such cases their families received the usual regulation gratuities from the Fund. But no Resident Magistrate appointed for the first time under the Act of 1836 has received any compensation or money from this Fund.

RELIEF WORKS AT GARRICK.

SIR T. ESMONDE, in the absence of Mr. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the relief works to which he recently referred as instituted for the benefit of the inhabitants of the parish of Ardara county Donegal, are seven miles distant from that parish; whether he is aware that an engineer named Gahan, who is employed in the Government relief works at Garrick, visited the parish of Ardara about a fortnight ago with a view to the making of the roads by the Government in the neighbourhood for the purpose of relief, but that hitherto no step in this direction has been taken; and whether, having regard to the fact that the fulfilment of his promise made at Ardara, that the Government would cut a road through the hill of Glengrish, would give employment to between 200 and 300 people in the neighbourhood of Ardara, and, to the destitute condition of the people of this neighbourhood, any measures are to be taken for their immediate sustenance and relief?

MR. A. J. BALFOUR: Perhaps the hon. Member will give me further notice of the question.

KENSINGTON AND PADDINGTON SUBWAY.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the First Commissioner of Works whether he is aware that certain persons, on behalf of the promoters of the Kensington and Paddington Subway Bill, have already begun to peg out portions of Kensington Gardens; whether this has been done with his authority; and whether, in view of the fact that the Bill has not yet passed either the Committee stage or the Third Reading in this House, he will order the promoters to suspend all further operations, and to cease interfering with the public enjoyment of the gardens?

MR. COBB (Warwick, S.E., Rugby): I should like to ask whether the right hon. Gentleman is aware that the plans and sections show that the proposed railway will cross Kensington Gardens in an open cutting, which will afterwards be covered over?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The Kensington and Paddington Subway Bill has passed a Second Reading in this House, and it will now be for a Select Committee to examine in detail the arguments for and against the measures. As to those general questions, I do not desire to express any opinion one way or the other. But I must be prepared to inform the Committee, should it otherwise approve of the scheme, to what extent the construction of the line would involve any interference with the amenities of the park. With that view I called upon the promoters to indicate the line which they intended to take by the usual method of placing a few temporary pegs here and there in the ground. I may say that to their first proposal I objected, and I am now about to consider an alternative route. I do not believe that the placing of these pegs in the ground has in any degree interfered with the enjoyment of the gardens by the public. The case stands thus: The promoters must, if they can, satisfy the Committee in order to get their Bill; and they must, I suppose, satisfy the public in order to get their money; and my hon. Friend may rest assured that, until they have achieved these two purposes, they will not be allowed to begin operations in Kensington Gardens. I may add that, if all objections were overcome, and the Bill were passed by the Committee and afterwards by the House, the assent of the Crown would still be required. In answer to the supplementary question, I have to say that the course that it is proposed to take is to construct the railway in sections, so that only a small part of the gardens at a time would be interfered with. Of course, the whole question is one of the balance of conveniences for the public.

SIR H. ROSCOE: May I ask whether arrangements have been made for working the line by electricity or by cable, or whether it is merely intended to construct a subway for foot passengers as far as the Albert Hall?

*MR. PLUNKET: Objections were raised by the Science and Art Department to the proposal that it should be an electrical railway passing under their premises; and so the promoters have agreed to work by cable instead of by electricity. So far, that difficulty has been overcome. The idea is that there should be a subway connecting the South Kensington Railway Station with the Albert Hall and Paddington by way of the Kensington Gardens. Through the Gardens the subway would consist of two tubes, and nothing of it would be visible. The most serious permanent alteration that would be involved would be the destruction of a certain number of trees.

SIR H. ROSCOE: Has the right hon. Gentleman been informed that the running of cars in the subway will materially interfere with the scientific instruction given in the Normal School of Science and in the large school connected with the City and Guilds of London Institute? Does he know that arrangements have been made by which the construction can be carried on without interfering with the work in the schools?

*MR. PLUNKET: My impression is that all these objections have been overcome by the promotors.

MR. PICTON (Leicester): When the right hon. Gentleman stated that the assent of the Crown would be necessary, did he mean anything more than the Royal assent which must be given to every Bill?

*MR. PLUNKET: Yes, Sir; Kensington Gardens are Crown property.

INFLAMMABLE LIQUIDS BILL.

SIR E. BIRKBECK (Norfolk, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the very strong feeling expressed by shopkeepers and dealers in petroleum lamp oil in country towns and villages against the proposals contained in the Inflammable Liquids Bill; and whether he will agree to exempt small towns and villages from coming under the provisions of the Bill as far as petroleum lamp oil is concerned?

MR. H. GARDNER (Essex, Saffron Walden): May I further ask whether it is not a fact that petroleum oil affords the light principally used in rural districts by the poorer classes?

MR. MATTHEWS: The oil is, I believe, largely used by the poorer classes. I have seen a large number of printed circulars directed against this Bill; but these representations seem to proceed upon a considerable misapprehension as to the provisions and effect of the measure and wholly ignore the appeals made to the Government by public and local bodies of great importance, protesting against the danger arising from the existing state of the law. As to the exemption suggested by my hon. Friend I am unable to say at present whether it could be safely permitted; but I think that such a question might properly engage the attention of a Select Committee when the Bill reaches that stage. I venture, however, to remind my hon. Friend of the disastrous fire at Sutton in 1886 when five lives were lost.

ISSUE OF BANK NOTES.

MR. ATKINSON (Boston): I beg to ask the Chancellor of the Exchequer whether he will state his intentions in respect to changes as to existing issues of bank notes this Session?

MR. GOSCHEN: The hon. Member will have observed that in my recent utterances with regard to banking matters I made no special reference to the existing issues of bank notes by banks other than the Bank of England, but I can make no reply to my hon. Friend which will in any way fetter the freedom of action of the Government or of the House.

MINING ROYALTIES.

MR. W. PRITCHARD MORGAN: I beg to ask the Attorney General whether the same prerogative pertains to the Crown with reference to the gold and silver contained in Her Majesty's possessions outside as in Great Britain; if the prerogative does exist, is it the intention of the Government to insist

upon the payment of royalties outside as in Great Britain; and if the prerogative does not exist, how and by what statute or law has the prerogative outside Great Britain been abrogated or modified?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The Prerogative of the Crown is the same in all parts of Her Majesty's dominions. The exercise of it as gold and silver is modified as regards New South Wales and Queensland by the Act 18 & 19 Vic., c. 54 sec. 2; as to Victoria by the Act 18 and 19 Vic., c. 55, sec. 2; and as to Western Australia by the Act of last year, 53 & 54 Vic., c. 26, sec. 3. These sections vest in the Legislatures of the several colonies named, the entire management and control of the waste lands of the Crown and the proceeds thereof, including all royalties, mines, and minerals. I trust that this information, as showing the course that has been taken in Australia, will satisfy the hon. Member.

MR. W. PRITCHARD MORGAN: No, Sir; quite the contrary. What I desire to know is whether the general words in the Acts of Parliament referred to by the hon. and learned Gentleman have vested in the Colonial Legislature and in the Colonial Governments the gold and silver in the colonies?

*SIR R. WEBSTER: I do not think the hon. Gentleman really followed my answer. I mentioned the statutes where the rights of the Crown have been interfered with. In cases in which no Statutes have been passed the rights will still remain with the Crown.

THE MINES (EIGHT HOURS) BILL.

MR. PICKARD (York, W.R., Normanton): I beg to ask the First Lord of the Treasury whether he can now arrange a day for the Debate on the Second Reading of the Mines (Eight Hours) Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The consideration of that Order cannot be taken until after the 18th of March, nor can I advance it. Under these circumstances, and as there is a reasonable probability that the Order may be reached by that time, I cannot say that I am yet in a position to give a day for the discussion.

MR. PICKARD: May I ask the right hon. Gentleman to say if he would be able to fix a day should the Order not be reached on the 18th of March?

*MR. W. H. SMITH: I am afraid that to enter into such an engagement would merely be an invitation to prolong the Debate on the previous Order. It would be better for the hon. Gentleman to use his influence with other hon. Members to secure an opportunity.

OVERCHARGES ON INDIAN STORES.

MR. BURT (Morpeth): I beg to ask the First Lord of the Treasury whether he will state the decision of the arbitrator to whom the matter was referred, *re* the dispute between the War Office and the India Office as to alleged overcharges, extending through a series of years on stores supplied to the Government of India; and whether he will lay upon the Table a memorandum giving particulars of the arbitration?

*MR. W. H. SMITH: I can assure the hon. Member that the matter has not been lost sight of, but it involves greater difficulties than at first sight appeared. The arbitrator (Lord Cranbrook) has not yet been able to come to a decision.

FINANCIAL RELATIONS BETWEEN ENGLAND AND IRELAND.

SIR T. ESMONDE: I beg to ask the First Lord of the Treasury if he is in a position to state when the Committee of Inquiry into the Financial Relations between Ireland and Great Britain will commence its investigations?

MR. GOSCHEN: I am anxious to push this matter forward with Irish Members. I do not know whether they are yet prepared to resume the discussion, and I did not like to ask them whether they were. If I am to take this question as an indication that there now exists a desire to go forward with this Committee, I will immediately take measures to have it reappointed, with such changes in the constitution of the Committee as circumstances may demand. I would propose, as March was by far the busiest month with me, and I should be unable to give continued attendance, that the Committee should be appointed, and that one meeting should be held, and that there should be placed before the Committee the information we have collected. I would then propose to postpone for a month the meeting of the Committee, when we should be able to give further information—in fact, the results of the second year, 1890-91, to compare with the year 1889-90. If that course commends itself to hon. Members I shall be glad to follow it.

MR. SEXTON: I thank the right hon. Gentleman, and concur in the general view of the circumstances he has expressed. May I suggest to him that it would make the proceedings of the Committee more useful if he would allow an interval between the circulation of the Return and the first meeting of the Committee?

MR. GOSCHEN: Certainly, it will be convenient that some time should elapse, but, of course, I cannot have the Papers circulated until I know who are to be the members of the Committee. Though to a great extent the composition of the Committee may be the same, it does not follow that the members will be the same.

SIR J. M'KENNA (Monaghan, S.): May I ask the right hon. Gentleman if he would be prepared to add some additional Irish Members to the Committee?

MR. GOSCHEN: The composition of the Committee was very carefully considered at the time it was nominated and agreed to on both sides, and I do not think I could assent to making such a change.

MR. T. W. RUSSELL (Tyrone, S.): Will the right hon. Gentleman take steps to have the names submitted to the House without delay?

MR. GOSCHEN: So far as it lies in my hands, yes.

THE ROYAL COMMISSION ON LABOUR.

MR. J. O'CONNOR: On behalf of my hon. Friend the Member for Cork (Mr. Parnell), I beg to ask the First Lord of the Treasury when he will be in a position to state what arrangements he intends to make for the representation of Irish interests on the Royal Commission to inquire into the labour question?

*MR. W. H. SMITH: I think it would be more convenient that I should make a complete statement when I communicate to the House the terms of reference and the names of the Commissioners.

MR. SEXTON: Do we understand that the terms of reference will be communicated before the Commission is appointed?

*MR. W. H. SMITH: As to that I cannot give an absolute answer.

FACTORY INSPECTORS.

MR. H. BYRON REED (Bradford, E.): I beg to ask the Under Secretary for the Home Department a question of which I have given him private notice: whether he will lay on the Table the new regulations as to the examination and appointment of Factory Inspectors referred to in Debate last night?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The fullest publicity has been and continues to be given to these regulations, which of necessity are communicated to all applicants for Inspectorships. If my hon. Friend wishes to give them even further publicity, and to obtain it at the expense of presentation to Parliament, his Motion for that purpose would not be opposed by the Government.

ARRANGEMENT OF BUSINESS.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the right hon. Gentleman the First Lord of the Treasury when it is the intention of the Government to introduce the Small Holdings Bill mentioned in the Queen's Speech?

*MR. W. H. SMITH: Certainly.

SIR WALTER FOSTER: I think the right hon. Gentleman has misunderstood my question. I asked when, and not whether, the Bill would be introduced.

*MR. W. H. SMITH: Well, I think the House has quite sufficient work on its hands just now, and I do not see any advantage in mentioning a possible date.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): Will my right hon. Friend say what business will be taken on Monday?

*MR. W. H. SMITH: I am not without hope of being allowed to take the Money Vote for the Army to-night. The time now is exceedingly short before Easter, which falls much earlier this year. Therefore, we shall have to devote increasing attention to the Estimates. At any rate, the Navy Estimates must stand first for Monday.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): And after Monday what is the intention? What Estimates will be taken on Thursday?

*MR. W. H. SMITH: We must take the necessary Votes as rapidly as possible, the right hon. Gentleman is aware of the necessity. After the Navy Vote and the necessary Vote for the Army we shall proceed with the Supplementary Estimates. Supply, not Bills, will be the business next week.

MR. ESSLEMONT (Aberdeen, E.): May I ask whether it is intended to adjourn for the Easter holidays on the 24th March?

*MR. W. H. SMITH: I am not able to say. We must discharge the necessary business before the adjournment.

MR. SEXTON: I suppose we may conclude that the Irish Land Purchase Bill will not be taken before Easter?

*MR. W. H. SMITH: I do not say that it will not be possible, but the hon. Gentleman may rest assured that it will not be taken until the Supply necessary before Easter is taken.

MR. SEXTON: Reasonable notice will be given as to when it is to be taken?

*MR. W. H. SMITH: Certainly, Sir.

PAUPERS, INDOOR (MEMBERS OF BENEFIT SOCIETIES).

Return ordered—

"Of the Paupers in the Workhouses of England and Wales, on the 31st day of March, 1891, who, having been members of a Benefit Society, had then from any cause ceased to be members (in continuation of Parliamentary Paper, No. 444, of Session 1881)."—(*Viscount Lymington.*)

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TAXATION OF LAND.

RESOLUTION.

*(5.14.) MR. PROVAND (Glasgow, Blackfriars, &c.): I rise to bring before the House the subject upon which I have given notice, and to move the Motion which stands in my name on the Paper. This Motion deals with a question of continual Parliamentary interest. Taxation is the one subject that is sure to come up for consideration every year; indeed, I may go a little further, and say that although many taxation questions will in time be discussed and disposed of, that of the taxation of land is the one question which is certain to remain to be dealt with in every Parliament throughout a very long future. The Motion sets out that land pays at present too little taxation. The owner should be liable to be taxed on what the land is worth, and not merely on what it rents for, and for this purpose it would require to be assessed separately when it is in any way occupied. This change would largely increase the taxation paid by land, and this increase would form a fund by means of which other taxes which press on food, industry, and commerce could be repealed. Therefore the Motion, if carried, would involve a considerable re-adjustment of the incidence of taxation. As land is taxed both for local and Imperial purposes, I must take the sum of Imperial and local taxation together, and begin by showing in round figures the principal amounts of our present taxation and the sources from which we obtain it. Taken together our local and Imperial taxation amounts to about £105,000,000 per annum, and the following are the chief sources from which this was collected in 1889, which is the last year for which the figures have been published. Food was taxed to the extent of nearly £5,500,000, intoxicants £30,000,000, stamps £13,000,000, Income Tax £13,000,000, House Duty £2,000,000, Land Tax £1,000,000, and tobacco £9,000,000, and the local taxation may be taken as £30,000,000, making, with some smaller sums, in round figures a total of about £105,000,000. The reduction in the Tea and Currant Duties made last year will reduce the taxation on food for this year to between £3,000,000 and £4,000,000, but the other sources of taxation will not be much altered except on intoxicants, which will show an increase, I am sorry to say, over last year. Now, the first question is—How much of this gigantic total of £105,000,000 is paid by the landowners? They contribute in six different ways—by Land Tax, by Rates, by Stamps on Deeds, by the Estate Duty, by Succession Duty, and by Income Tax under Schedule A, but all these sources taken together do not contribute probably more than £5,000,000 to the total taxation.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): And the rates?

*MR. PROVAND: In England rates are paid by the occupiers; in Ireland and Scotland they are paid half by occupiers, half by owners. Therefore, leaving out the £30,000,000 derived from drink, as being an article on which there is no intention of decreasing the duty, and the £9,000,000 paid by tobacco, the rest of our taxation during the present year will be derived, say, from food about £3,500,000; from landowners about 5,000,000, leaving nearly £60,000,000 to be paid by occupiers of farms and houses, and by the community in many ways and forms, making altogether an enormous direct or indirect taxation falling on industry. I am now stating these sums in round figures. It is impossible that I can go into the details in the time at my command; and besides that, the exact proportions could not be worked out except by a person having access to figures, which, so far as I know, are not made public. But even if there were discrepancies in the figures I give, this would not affect the principles for which I am contending. Whether one set of figures given is slightly over or under what someone else may say they are, or even prove them to be, will not affect the case. Everyone knows how easy it is to manipulate figures to practically misrepresent an issue. Now, I have shown how little of our taxation falls on the landowners, and indeed the Chancellor of the Exchequer has repeatedly admitted that there are great inequalities to be rectified between the taxation which falls on land and on personalty, but he has said in recent times that rates for local purposes should not be paid by landowners, nor should the Death Duties be made the same on realty as on personalty unless and until the assessment of land to Income Tax was put on the same footing as on other property. I invite him to do so; but I do not expect this invitation will be accepted, as landowners know that any alteration that could legitimately be made in the way land is assessed to the Income Tax would be a very small sum indeed compared with what they would in such case require to pay in local rates and Death Duties. So much, therefore, for my first point—that land pays too small a share of our taxation, and that the burden ought to be increased. Let me now deal with part of the £60,000,000 or so of taxation which is paid by or falls, either directly or indirectly, on food and industry. Even if national necessities, such as a time of war, required any tax to be placed on food, the percentage which is now charged would be out of all reason. The articles which pay duty are tea, coffee, dried fruits, and some other things which, taken all round, are increased in price to the consumer by at least 50 per cent. on account of the duties. But there is another unanswerable reason against any tax whatever being placed on food, and that is, that food is raw material, and it is indispensable that we should obtain it at the least possible cost. The last thing on which there should be any tax is food, and no reasonable defence can be offered for taxing it while we have vast amounts of other property which escapes taxation almost altogether. Something like £30,000,000 a year out of the total of £60,000,000 is collected by rates, which, except in Ireland and Scotland, are paid by occupiers, and the whole of this is paid out of their wages, or out of the businesses which they carry on, and is, therefore, a direct tax upon their industry. Income Tax brings in £13,000,000, and the profits of industry pay the whole amount except what is charged to landowners under Schedule A; and out of £13,000,000 realised from stamps, landowners contribute only a little for deeds used in the sale or purchase of land and for Succession Duties. Except in these cases the whole of the Stamp Duties are charges on trade and commerce. An example of a direct tax on our commerce is the stamp charged on marine insurance policies. This forms an addition to the cost of the merchandise we export and import. Every merchant's invoice for goods contains the charge for marine insurance, and includes this tax, and £140,000 a year is by this means brought into the Exchequer, and everything shipped for sale abroad or imported for sale at home is made dearer by the amount of this duty. £45,000 is collected by the tax on life insurance policies; that is to say, those persons who are thrifty and prudent are taxed because they are so. The question of cheaper railway fares has been repeatedly before this House of late, yet we charge the Railway Companies £330,000 a year for passenger duty. If this were remitted it would enable the companies to do something towards providing the cheaper suburban rates which it is admitted on all hands must be brought about if the workers in large cities are to be able to get backwards and forwards from their homes to their employment. The Carriage Tax which brings in nearly £500,000 a year is another indefensible charge upon industry, although, perhaps a municipal impost on carriages for police purposes might be conceded. Even the briefest examination of the sources of our taxation must convey to the mind of anybody that they have been carefully sought out by successive Chancellors of the Exchequer, moved by the determination that whoever was taxed landowners at least, to a large extent, should go free. There are many taxes which ought at once to be taken off the Statute Book for the sufficient reason that they are unjust. They bring very little money into the National Exchequer and must require a small army of clerks to look after the collection of them. Many kinds of businesses are still taxed, for which there is neither reason nor justification. Why, for example, should a house agent be charged a licence to carry on his business? Why should a solicitor have to pay from £3 to £9 per annum to be permitted to practise his profession? The State does nothing whatever for these men; their businesses are not monopolies. Any person may be a solicitor who will take the trouble to pass the required examinations. These taxes are what remain of a great many of the same kind that were formerly in existence. Calico printers, starch makers, wire drawers, tanners, glass makers, and numerous other trades and businesses could not at one time be carried on unless permission was first purchased from the State by payment of a tax. It is impossible to defend such charges, and we still keep on the Statute Book a number of small charges from which we can get no adequate return. But perhaps the high-water mark of injustice as well as meanness is reached on the part of the Government in the profit of something like £90,000 a year which they make out of the Patent Office. It is notorious that, as a rule, inventors are poor men; indeed, in innumerable instances they make and keep themselves poor by struggling to invent, yet this class which does a great deal for us in the extreme competition in which we are engaged with all foreign countries, hampered as we are by their fiscal arrangements—this very class, which should be exempt, at least, from paying a profit to the State, are required to contribute to our Revenue about £90,000 per annum. We have quite recently in this House voted large sums for technical education in order that our youth may be adequately trained to design and to invent, as it is continually brought before us that on many of these points our continental neighbours are better prepared than we are; but as soon as they are old enough to utilise the training provided for them, and to design or invent, we only permit them to do so provided they contribute to the Revenue a profit, after the expenses are paid, of about £90,000 a year. I do not think it would be possible to discover any tax more unreasonable, more likely to discourage skill and industry, or which would be more profitable to give up. I have now given a sufficient number of illustrations of how a large proportion of our national income falls upon food and industry, and it would be wiser to discontinue such taxes, which have the direct effect of hampering our commerce. Land should be assessed on its value, and the assessment should be separate from that of any buildings that may be on it. I recognise the great differences between rural and urban land. The former has a creative power which requires the continual application of labour and capital, while urban land has only an earning power which is entirely derived from the presence of population in its neighbourhood, without the application of either labour or capital on the part of the owner. Rural land is, in fact, in many places, to a large extent, a manufactured article. The methods of valuation for purposes of taxation would, therefore, no doubt be different, and the allowances for improvements in the case of rural land would have to be dealt with; but in the case of urban land there is no such difficulty, and the separate valuation of it, apart from buildings, would be easy. This matter has already been dealt with by a Committee of the London County Council, which took evidence—

> "(*a*) As to the practicability of separating and recording the value of London land apart from that of buildings or improvements.
>
> (*b*) As to the method of affecting such separation; and
>
> (*c*) As to the steps necessary to be taken in order to ensure the adoption and practical operation of such method, and they found that the separate assessment and record of the separate value of the land was easy and practicable."

The subject has also been dealt with by two Municipal Committees in the City of Glasgow, who have both found it will be a simple matter to value and assess land, apart from buildings, and a Special Committee in Glasgow, to which this question was referred, recommended that a copy of their findings should be sent to all Assessing Bodies in Scotland with a request that they will co-operate in petitioning Parliament in favour of legislation on the lines indicated in their Report. The House will therefore see that this point has already been dealt with in London and Glasgow, and there is not the smallest doubt that it will be rapidly taken up by other cities. To carry out this separate assessment of land, and to make the tax payable by the owner, no change in our law is necessary. A new Land Tax, if an increase of taxation took this form, would be on the same footing as the existing one, the law respecting which I quote from the 28th Report of the Inland Revenue Department, in which it says—

> "Land Tax is payable whether the property be occupied or not. The law applicable to Land Tax makes no provision for voids or loss of rent; it is a charge upon the owner, and if the occupier pays it in the first instance he is entitled to deduct it on payment of his rent."

*SIR RICHARD PAGET (Somerset Wells): Will the hon. Member quote from the same Report the origin of that tax?

*MR. PROVAND: I should be delighted to do so if I had the time to spare. The next point is who should be assessed, and authorities are all agreed that the occupier should be charged in the first instance, and the way in which he would recover the part for which he was not liable is stated with admirable clearness by the present Chancellor of the Exchequer in his book on Local Taxation, published in 1872, and from which I take the liberty to quote. He said—

> "Power being given to the occupier to deduct from his rent the proportion of the rates to which the owner may be made liable, and provision being made to render persons having superior or intermediate interests liable to proportionate deductions from the amount received by them, as in the case of the Income Tax with a like prohibition against agreement in contravention of the law."

That is what the right hon. Gentleman wrote in 1872, and, of course, it is quite as applicable now as then. That the landowner should be prohibited from contracting himself out of the tax will be necessary, otherwise we should find ourselves in our present position; that is to say, it would be paid by the occupiers, and in effect be an increase of rent. Now, Sir, in advocating an increase in the taxation of land, I am not proposing anything which is new. The right hon. Member for Mid Lothian, when Chancellor of the Exchequer, introduced the Succession Duty, and the present Chancellor of the Exchequer in 1888, and again in 1889, increased the charges on land by raising the Succession Duty in the former year, and by creating what is called the Estate Duty in the latter year. The points to which public attention have been mainly directed are that land, when vacant, pays no rates, and when occupied the rates are paid in England by the occupier. This is an old standing injustice, and, in 1871, the Chancellor of the Exchequer, who was then President of the Local Government Board, introduced a Local Government Bill, and, in doing so, he said—

> "Justice and public policy require that the owner shall pay a certain portion of the taxes."

And further on he said—

> "The Government have decided that such an anomalous state of things shall no longer exist, and a provision rendering void any engagements by which owners contract themselves out of the payment of local taxation is made in this Bill."

But that Bill did not pass, and the injustice continues to this time. Now, Sir, justice and public policy are as powerful reasons to-day as they were 20 years ago in favour of the landowner being required to pay more taxes and also against his being permitted to contract himself out of their payment. I may mention that, with the exception of the right hon. Gentleman the Chancellor of the Exchequer himself, the Government of that day—that is, in 1871—now occupy the Front Bench below me. A landowner could not contract himself out of an Imperial tax, nor should he be allowed to do so in the case of a local tax. Landowners have been enriched enormously by the expenditure of rates paid by the occupiers; and although the case against the country landowner is not so strong, because not so general, on this point as against the town landowner, nevertheless the evil exists to a very large extent. I have said that there would be some differences in the methods applicable to increasing or imposing fresh taxation on rural land from urban land, and although land in towns is that which most stands in need of attention, nevertheless the fact of land being enormously increased in value by the expenditure of the occupier's money is in many cases as noticeable in the country as in the towns. Time will not permit me to give more than one example of how this injustice is worked in a country place. In the North of England there is a manor of about 2,800 acres, the lord of which has paid throughout the last 20 years less than £4 in rates. In the meantime, the Local Authorities have spent, or are spending, £40,000 in draining, roading, and lighting the neighbourhood, the whole of which forms a tax upon the occupiers and their successors. The value of the land has been enormously increased by this expenditure without the owner having contributed anything whatever except less than the sum of £4 on rates. When we come to the towns the cases are numerous and notorious. Every city furnishes examples of the whole community being taxed, their industry mortgaged, probably for generations to come, largely for the benefit of those who own the land. We have an example within a short distance of this House in the land lying to the east of Victoria Railway Station. It is not so long since this was a marsh. It is now closely covered with houses which have become the property of the owner of the land without any outlay on his part whatever of either money or industry. Some idea may be formed of the rate at which value is being created in this way when I mention that the Local Authorities expended more than £67,000,000 sterling during the last year, and they are building up a local debt secured on the rates which now amounts to £230,000,000. Most of this money has been, and is now being, expended on such objects as to directly increase the value of land, and yet the landowners, except in Ireland and Scotland, do not contribute one farthing in towns, and only sometimes in rural parts, towards this expenditure. It is laid out in making roads and streets, in lighting, paving, draining, and sanitary improvements of every kind, all of which add to the value of the land, and yet towards this landowners, who appropriate the value, pay only partially. In the work on Local Taxation, published in 1872 by the present Chancellor of the Exchequer, he says on this point—

> "The result of the present state of things has been that many great improvements in the Metropolis, in Liverpool, Manchester, and other large towns, have been made during the last 10 years exclusively at the cost of the occupiers without the landlords contributing a single shilling towards the expense."

Still more unjust to the community even than not separately taxing occupied land is allowing vacant land to be untaxed. Land can, therefore, be held by the owner without outlay of any kind. Meantime the improvements are going on round about, and increasing the value of his property until, finally, he lets it on building lease perhaps to secure a still greater value to himself in the future, or sells it at a price far beyond what it would have been worth if he had not been able to hold it while the community were taxing themselves to add to its value. There are many reasons which could be urged against vacant land being untaxed. It is a direct premium to its being kept out of use, and it is also, in effect, making the community find the capital without interest for the owner to hold it from sale. This great public injustice has been repeatedly noticed and reported against by Local Bodies, and in 1885 the Royal Commission which sat on the Housing of the Working Classes reported in favour of land available for building being taxed at, say, 4 per cent. on its selling value. This was done on account of the notorious examples brought before them of landowners deliberately keeping their land out of the market and parting with it only in small quantities so as to raise the value beyond even the natural price which land would command by its advantages of position. They also notice in this Report that this increased value to the land was not a recompense for any industry or expenditure on the part of the landlords, but was the natural result of the industry and activity of the townspeople themselves. Many other Reports might be quoted in a similar sense, but these would be merely cumulative testimony in reference to an evil which I am sure no Member of this House will venture to defend. In the Report of the Land Valuation Committee of the London County Council, they mention that in Kensington the value of vacant land is about £1,700,000 sterling, which is practically not rated at all, the rates not being worth considering; and land in parts of Kensington is now worth from 7 to 8 times more than it was 25 years ago. In some of the central, and also in all the outlying districts of London, land is kept vacant while it is annually increasing in value without in most cases contributing a farthing to the local requirements. This part of the case against land is unanswerable. Every reason which can be adduced is in favour of it being taxed on its value and not being exempt from taxation which, when imposed for local purposes, is directly the means by which its value is increased in the market. I have now dealt with the several points in the Motion. Firstly, that land is taxed too little, and this was stated by the Chancellor of the Exchequer himself in his speech made in 1871, when he also showed how much more land pays in other countries than in ours. I quote his words and figures—

> "The amount paid by land alone in England is 5½ per cent.; in Holland land alone pays 9 per cent., in Austria 17½ per cent., in France 18½ per cent., in Belgium 20½ per cent., and in Hungary 32½ per cent. What do these facts prove? They prove that, as regards Imperial taxation, land in this country is in an infinitely better position than land in any other European State."

Also that there will be no difficulty in imposing fresh taxation, as any new tax might follow the law which regulates the existing Land Tax. Nor would there be any difficulty in assessing and collecting a separate tax, as the Reports of the Committees of the London County Council and of the Glasgow Municipal Council say that an assessment on the value of land separate from that of the houses covering it is practically easy. The method of collecting the tax would be that recommended by the Chancellor of the Exchequer himself in his Draft Report on Local Taxation which I have read to the House. And now, Sir, I submit that I have made a perfectly sound case for an increase of the taxation to be paid by landowners and also for that which is implied by the Motion, an equivalent reduction of taxes which are now charged on food and industry. The Government have recently taken up the labour question. After all, this is a branch of the labour question, and perhaps the most important branch which is at present under consideration. There is a popular idea that a working man pays no taxes unless he drinks or smokes. This is a delusion. He not only pays on his food; but leaving that entirely aside, he pays a larger percentage of his income on local taxation than any other class of the community. Workmen's houses are rated at about 20 to 25 per cent. of their annual value, and a workman usually pays 20 to 25 per cent. of his wages in rent. Taking him, therefore, at an average of 25s. per week, which is a high average, his rent would be about 5s., on which he would pay from 1s. to 1s. 3d. for rates, either through his landlord in rent or direct himself, and this represents from 4 per cent. to 5 per cent. on his income, which is a larger percentage than is paid by any other class; and, besides this, it must not be forgotten that it is a much greater strain to pay 4 per cent. or 5 per cent. on a very small income than it would be to pay the same proportion on a very large one. It is the working classes on whom local taxation falls heaviest, and when local burdens are largely shared by the landowner, as they ought to be, the working classes will get the benefit in lower rents. I have repeatedly mentioned and quoted the Chancellor of the Exchequer, and my reason for doing so is because there is no man in this House who knows so much about this subject as he does, and also because he is the only person to whom we can look for assistance. He has the stewardship of our national finances, and the local finances are controlled by this House under his initiative. And I desire to enforce my appeal by the statement that while he has been in power for four years, during three of which he has had large surpluses, he has discriminated in favour of the land and added to land taxation only about £200,000, while he has added more than four times that amount to personalty by the new Estate Duty alone, which he brought in two years ago. We have yet to see what he has added to the taxation of land by the Estate Duty. Twenty years ago the Chancellor of the Exchequer told us in this House that justice and public policy required that landowners should pay more taxes than they did then; and as almost nothing has been done since to make them pay more the case is now infinitely stronger, and justice and public policy call louder than ever for an equitable readjustment of taxation. On the one hand, landowners pay a mere trifling increase of taxes; while, on the other hand, hundreds of millions of pounds have meantime been raised from rates or borrowed by Local Authorities, nearly the whole of which have been spent in improvements, which have largely gone to enrich landowners.

This is no exaggeration. In 1871 it was intended to divide the rates between the occupier and landlord in England and Wales in the same way as they are divided in Ireland and Scotland. That was not done. What has happened since then? During the intervening 20 years nearly £500,000,000 sterling have been raised by rates in England and Wales; and if the law had been changed in 1871, one-half of this would have fallen upon the landowners. They are, therefore, now this amount in pocket, besides having become possessed of all the increment of the land which has resulted from the local expenditure of the most of this enormous sum of money. But even this does not express all the advantage which has been given to them since 1871, for, besides the rates that have been raised and expended, the Local Authorities in England and Wales have borrowed in the meantime something like £100,000,000 of money, which has also been expended in local enterprises and improvements which have added to the value of land. If, therefore, the Chancellor of the Exchequer was right when he said that the state of things then existing was unjust and against public policy, there are far stronger reasons in existence now in favour of this opinion than there were when he expressed it. I think, therefore, I may confidently appeal to him to give his early and earnest consideration to the great injustice which is being done to the community by permitting the landowners to escape their share of the public burdens. We are sure to hear more on this subject in the early future, both in this House and in the constituencies, and it is certain to be brought prominently before their notice in view of the coming General Election. As the Government is setting its house in order against that possibly evil day, I hope it will take this question into consideration, and deal with it at least on as fair a basis as was intended by the Government of 1871. If they will not do so, they may be assured the country will take notice of their refusal to remedy this notorious injustice, and will deal with them accordingly when the General Election gives the people an opportunity of doing so. I beg to move the Resolution down to the word "increased" in the third line.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the proportion of taxation which falls upon and is payable by land and its rentals is insufficient and ought to be increased,"—(*Mr. Provand,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(5.55.) MR. J. STUART (Shoreditch, Hoxton): I rise to second the Resolution, and I shall do so very shortly indeed. I must express my gratification that my hon. Friend has omitted the latter portion of his Resolution, and has therefore enabled the House to vote upon a clear issue, instead of an issue complicated by a variety of subjects not necessarily involved the one in the other. I will not endeavour to follow the complicated line of reasoning so ably pursued by my hon. Friend, because I only intend to deal with a few large lines of argument. I take it that it is admitted on all sides of the House, by the Chancellor of the Exchequer as well as by gentlemen on this side, that, so far as Imperial taxation is concerned, land in this country pays considerably less than land in any other countries, and that the percentage paid by land in this country towards Imperial purposes is less than the percentage paid by any other class of property. I think it is admitted on all hands that the amount paid by houses and land in England towards Imperial taxation is very different from what is the case in other countries. In England it is 10½ per cent., as stated by the Chancellor of the Exchequer, while in France it is 29 per cent., and in Hungary 38 per cent. To form any proper conception of the burden borne by land we must take into consideration what is paid to local as well as to Imperial purposes. In this connection land is divided into two categories—land in towns, and arable or cultivable land. The cases of these two differ considerably, and what I want to urge on the Chancellor of the Exchequer and the House is that there is no doubt whatever that land in towns pays very little indeed to local purposes. In our great towns the burden of the rates falls principally upon the occupier. The burden upon land in so far as Imperial taxation is concerned, is very slight, and in towns the burden on land with regard to local purposes is also slight. I admit that in the case of agricultural land, the burden of local rates falls more upon the land, but I should like the Chancellor of the Exchequer to show the House what is the total amount of local burdens upon any agricultural district, and I very much doubt whether he will find in the figures connected therewith any sufficient size of figures to compensate for the deficiency of the other charges on land. I now come to the question whether the owner or the occupier is the person who really pays in the agricultural districts. I admit that the owner pays more in the agricultural districts than in the towns; but here there are two points to consider; the first is the real incidence of local taxation in such cases, and the next is the apparent incidence of local taxation in such cases. I wonder why it is that the right hon. Gentleman, the Chancellor of the Exchequer, who has expressed such sentiments as those which we remember him to have uttered in the past, has remained in a position of such authority in this House for so long a period, and has taken no steps to carry out that division of rates as between owner and occupier to which in previous years he pledged himself. The reason for this division as argued for by hon. Gentlemen on this side of the House, is that they think that the burden is borne by the occupier, while hon. Gentlemen on the other side of the House think that in the agricultural districts all, or a great part of the burden, is borne by the owner. There never was a worse tax than that which has the obloquy of being borne by two persons, when we know that two persons cannot bear it. There is no doubt that some of the local taxation falls on the shoulders of each, and if that be so, I say it is better that it should be put half on each than that all should be placed on one individual. Doubtless it will tend to distribute itself with a certain amount of fairness, but at the same time rates have a tendency to stick where they are placed, and if we want to do justice it is better for the House to endeavour to right these things, than to let them remain as they are. Now, I want to clear up the point at issue in this discussion as to the apparent and the real incidence of the rates, and I would ask the right hon. Gentleman the Chancellor of the Exchequer whether he will be prepared before long to carry out the sentiments which he himself has been one of the great advocates for spreading through the country—the sentiments embodied in the principle of the division of rates between the owner and occupier. I am very far from thinking that a mere division of a nominal character would settle the true incidence of taxation on land and other things that are taxed; but I believe that the division is more nominal than real, though at the same time I think the question will admit of a large amount of argument. So much for this part of the question. Now, I want to tell the House why it is that I do not desire to detain it long on the present occasion. The mover of the Resolution has dealt with the subject necessarily and mainly from the point of view connected with agricultural land. I have no hesitation in saying that the argument is much stronger in respect of land and houses, for sometimes they are joined together, and sometimes it is attempted to separate them. The argument is certainly much stronger in regard to the towns than in regard to the country. Indeed, it is because of its immense strength in regard to the towns that I have risen to support the Resolution; but I do not now intend to enter into that part of the argument. I may here state that the Liberal representatives of the Metropolis have consulted together on this matter. We have in the first place framed a Resolution in reference to the local taxation of the Metropolis, for the discussion of which we have secured this day fortnight, and therefore it would be an unnecessary detention of the House, and would tend to somewhat complicate the argument if we were to go at any length into the question as connected with the Metropolis. At the same time, as it might otherwise be thought that we are unsympathetic with regard to this Resolution, I have ventured, on behalf of my hon. Friends, to second the Motion in order that I might explain the reason why we defer a portion of the Debate. The question, as far as it relates to the Metropolitan aspect of the taxation of land, is a very specific and definite one, and I trust we shall be able to obtain from the House a vote in respect of a Resolution which we can put much more definitely from our point of view than in the case of the present proposal. Before I sit down I want to urge upon the House another point with regard to the taxation of land. Passing from the larger and wider view of the question I would endeavour to impress on the House the necessity there is for dealing with the questions arising on the taxation of land, question by question as they present themselves, with more equity than you at present adopt in respect to other taxation. Take the reform introduced by the Chancellor of the Exchequer. I allude to the additional Death Duty which he has lately placed upon properties of upwards of £10,000. How does the right hon. Gentleman deal with the case of land and personalty? In the case of personalty, if there is an estate of upwards of £10,000 he imposes an additional percentage upon it, however it is subdivided; but when it comes to the case of land, even if the estate should be valued at £100,000 and be divided into portions of less than £10,000 each, he does not put on a single penny of additional taxation. Now, why is this distinction drawn? In the next place I go to the anomaly the right hon. Gentleman endeavoured somewhat to correct the other day. I allude to the anomaly which existed in the Death Duty in its connection with the Succession Duty on the one hand, and with the Probate and Legacy Duty on the other. I will not enter into that question, but on the facts before the House it appears that whereas something like £8,000,000 a year is got from the Death Duty there is less than £1,000,000 a year got from the Succession Duty, and that which is got is paid upon easier terms. Why is it that there is this great discrepancy? I know the answer will be similar to that which was given to the Commission which was appointed in the time of Edward III. to ascertain what was the cause of the Goodwin Sands. As the Commissioners went nearer and nearer to the Goodwin Sands, they were always told that there was some old gentleman who could tell them when they got there, and when at last they did get there, the old gentleman said the cause of the Goodwin Sands was Tenterden church steeple. That is a very old story to quote; but what it all comes to in the present instance is this: That whenever we find a certain anomaly in our taxation or rating which lets off land much more easily than other property, we are always told that the reason is to be found in the local taxation of agricultural land. That is the Tenterden steeple of hon. Members opposite. I have now pointed out one or two anomalies in taxation which, if removed, would tend greatly to do away with a good deal of the misapprehension which exists on this subject. That misapprehension does exist, will, I think, be readily admitted. If I were to complicate this discussion by going into the Metropolitan question, I should be able to show, as we will endeavour to show a fortnight hence, the extraordinary unfairness on land in general, and on the Metropolitan district in particular, of the incidence of taxation of land as connected with other forms of property included in this Resolution.

*(6.12.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I do not propose to follow the hon. Gentleman who has just sat down into the question of Goodwin Sands or Tenterden steeple, but perhaps the House will allow me, as the representative of the Agricultural Department in the Government, to offer some observations in reply to the two speeches on the Motion which is now before us, and which deals with the question of taxation on land. The hon. Gentleman who moved the Resolution explained the different items under which land was taxed at present, but I own I was unable to follow the argument by which the hon. Gentleman arrived at the conclusion that £5,000,000 a year was all that was paid by taxation on land. The hon. Member left out of account altogether the burden of rates. for he roundly declared that rates fell

upon the occupier alone, and were in no way paid by the land. The occupier pays a certain sum for the use of the land, and in that sum are included rates as well as taxes. The effect on the owner is that if the rates are high he gets less rent; and if they are low he gets more rent, and I maintain that it would not be difficult to show that ultimately the whole burden of the rates falls upon the owner of the land and on nobody else. In that contention I am to some extent supported by the Seconder of the Resolution, who appears to differ very considerably from my hon. Friend the Mover. The hon. Member who seconded the Motion appealed to the Chancellor of the Exchequer to introduce legislation for the purpose of dividing the rates between owner and occupier. That was a reform which was recommended many years ago by a Commission, presided over by the Duke of Richmond, of which I was a member, and it is a reform Her Majesty's Government are perfectly ready to give, provided a fitting representation is given to owners of land as well as occupiers. I admit it is true, as stated by the hon. Member, that land in foreign countries pays more taxes than land in this country, but he cannot omit from his consideration the question of local taxation. The Motion which has been read over from the Chair, has been wisely, I think, curtailed. The House will observe that although it deals with the question of taxation on land, the hon. Member dealt with the question of urban as well as rural land, and I think it will simplify matters greatly if I deal with the question of urban and rural land separately. Take urban land to begin with. What is the grievance of the hon. Gentleman? He based his case, as I understood him to say, on the Report of the Committee for the Housing of the Working Classes, and he also directed his arguments to the question of taxation of vacant land. I am quite prepared to make this admission, that the case of urban land differs very widely from that of rural land, yet I think it is one with regard to which the hon. Member entirely failed to make out his case. I should require very much more conclusive arguments than those which the hon. Member has adduced before I could accept his views. I will content myself by opposing the Motion on three grounds. In the first place the grievance, whatever it is, whether it be great or whether it be small, is limited, I think the hon. Member said, to £1,700,000, and in its very nature it must be more or less temporary in its character. In the second place, the whole of this subject, unless I am mistaken, is now under the consideration of a Committee sitting at this moment on Town Holdings. But there is a much more serious ground, I think, than either of these, on which the Motion might be opposed, and that is that, if the land were to be taxed—as the hon. Gentleman, I think, pointed out was his intention—upon its capital value, instead of upon the income, it would be an entire departure from the principles of taxation upon property which have been accepted in this country up to the present time. It would be manifestly unfair and undesirable to apply this principle to one-third of property only, and we should require very much more conclusive arguments and complete evidence than has been laid before us before we could accept a proposal of that kind. I come now, Sir, to the question of rural land, and here I must say that I think the case is conclusive against the views of the hon. Gentleman. He says the taxation of the land and of its rentals is insufficient, and, therefore, ought to be increased. I confess, to begin with, that I have some difficulty in understanding precisely what it is that the hon. Gentleman means. Insufficient compared with what? Does he mean it is insufficient as compared with the taxation levied upon other kinds of property, or with the taxation upon land in foreign countries? He argued the question at considerable length, and, if he will permit me, I will reply to those observations. In the first place, although he pointed out that in countries which he named, and in others which he did not name, land is much more heavily taxed than in this country, and in which I agree with him; yet he failed to point out one very good reason for this, namely, that in some of those countries there is probably little, if anything, else but land which can be taxed. Again, I would point out that in nearly all of those countries there is a system of heavy protective duties, and whatever may be the effect of a protective system upon the position of a country as a whole—a subject I am not concerned to argue now—it undoubtedly has the effect of very materially enhancing the price of the produce of the land, and, therefore, upon that ground the landowners in those countries may justly and equitably be called upon to pay more taxation in respect of their land than is the case in England. But there is another reply to the argument of the hon. Member on that point, which I venture to think is infinitely more telling than either of those I have adduced. How much of our taxation in this country is needed for purposes which are not required in the countries to which I have referred; or, if they are needed, only in a comparatively minor degree? How much of our taxation is required for the purposes of our trade and commerce, and for the maintenance of our Empire in all parts of the world? What country in these respects can compare with us for a moment, and why should the land for all these great purposes be exceptionally taxed? The mere statement of the question carries with it its own answer, and supplies a complete refutation of the hon. Member's argument, which is based on the difference of taxation on land as between this and foreign countries. Well, Sir, can a more favourable comparison be made on any other ground—say as compared with taxation upon other kinds of property—in this country. Both hon. Gentlemen have pointed to the Death Duties, and complained of the inequalities as regards personal property. While I admit that concessions have been made of late years in local taxation, I can point, in reply, to the incidence of the Income Tax and the unfairness with which, according to our view, it falls upon land. I could quote, if it were necessary for me to do so, the opinions of most distinguished authorities on this subject. The right hon. Gentleman opposite, in 1853, after a most elaborate argument and dissection of the whole of this question, proved to demonstration the case which I support in respect of land, so far at all events as this, that he maintained that an Income Tax of 7d. on other kinds of property in reality was equal to a tax of 9d. upon land. That is a grievance which has remained unremoved until this day; what was true then is absolutely true at the present moment. Then, again, the Land Tax in its earliest inception was undoubtedly a tax on personalty as well; it was a tax on all kinds of property. Very much like local rates, after many years it became gradually disused, as far as regards other kinds of property, and ultimately fell wholly upon the land. As far as the history of the Land Tax is concerned it will not bear investigation for a moment, and coupling it with the grievance justly felt with regard to Income Tax, I maintain, if there be any question of altering the taxation on land at present, we claim, and claim, I think, with full justice, and we could adduce arguments to make good our claims, that we are entitled to a decrease rather than an increase of taxation on land. Well, Sir, if our present taxation is not sufficient as compared either with foreign countries or with taxation on other kinds of property in this, in what other way can the hon. Member make good this proposition? "Taxation," said the hon. Member, "upon land is insufficient, and ought to be increased." Well, that is the view of another person, Mr. Henry George, of whom we have heard a good deal lately. I do not know how far hon. Members share the views of that very distinguished individual, but all I know is this, that no amount of taxation of land in the world would ever be sufficient or satisfactory in the eyes of Mr. George, if any taxation was raised in any other way whatever. This is not a matter to be settled off hand by Motion on a Friday afternoon in the House of Commons. Authorities of the highest position, and differing entirely in their political views, have expressed opinions on this subject varying *in toto* from those expressed by both hon. Members. In the year 1872 my right hon. Friend the Chancellor of the Exchequer made this statement—

> "There can be no more difficult or complicated question than that which is mentioned in determining the equitable proportion of taxation which real property ought to bear as compared either with land or with the consuming classes. It is not a question of statistics only; it is a political question."

I recollect well the late Professor Thorold Rogers wrote on this subject, and I ask permission to quote his work, because he was a man of advanced and even of extreme opinions. Yet his views are diametrically opposed to those of hon. Members opposite. In his work on taxation he says—

> "Now, I am ready enough to admit that there are some local taxes which should not fall on real estate. The only special taxes which are justly levied on landowners, and in justice should be directly levied upon them, are those which are essential to beneficial ownership on the employment of real estate."

I think the hon. Member would find it hard to have an addition to the Land Tax at the present moment for beneficial ownership.

*Mr. PROVAND: May I be permitted to explain? I did not propose any new Land Tax.

*Mr. CHAPLIN: In that case I mistook the hon. Member.

*Mr. PROVAND: I only spoke in favour of increasing the taxes on land. I did not go into the particular way in which it should be done; but, I recommended towards the conclusion of my remarks that the Government should do that which was proposed by the Government of 1871—divide the rates between the landowner and the occupier.

*Mr. CHAPLIN: I regret that I should have misunderstood the hon. Member. I have already intimated that the Government do not object to the proposal to divide the rates between the owners and occupiers; but, certainly I understood the hon. Gentleman in his speech, to intimate the opinion that a new Land Tax should be proposed, and I thought that all the more remarkable because I knew the hon. Member must know perfectly well that nearly half the old Land Tax has been redeemed already. In the latter half of the hon. Member's Motion, as it appears upon the Paper, he proposes that an amount of taxation corresponding to that with which he wishes further to burden the land shall be taken off food, commerce, and industry. I have often observed that the taxation of food was a very favourite topic with hon. Members on that side of the House; but, as a matter of fact, during the last decade the only taxes which have been left upon food are the duties on tea, coffee, cocoa, chicory, and dried fruit. These amounted in 1879-80 to 5·5 per cent. of our gross revenue receipts; in 1884-85 they reached 6·1 per cent.; but in the current year, taking the receipts for 1889-90 as a basis for calculation, they have fallen under the beneficent reign of my right hon. Friend the Chancellor of the Exchequer (Mr. Goschen), to 3·8. per cent. Hon. Members opposite, then, have no ground whatever to complain of the present Government in connection with taxes upon food. The great bulk of our indirect taxation at the present moment is raised from intoxicants. Except with regard to them, I know not where any reductions can be made. Is it seriously proposed by the hon. Member that the taxes on intoxicants shall be reduced, and that an amount of taxation corresponding with the reduction shall be put on the landed estate? I think I have said enough with regard to food, but I must be permitted to say a word with regard to the question of industry dealt with by the hon. Member. He says we are to reduce taxation falling upon industry. Are we to understand that the hon. Member alleges seriously that agriculture is not an industry of this country? It is not only that, but it is an industry in one branch of which, at all events, many of the gentlemen sitting around the hon. Member are constantly professing their great interest. In these days we are all, I believe, unanimous in our desire to encourage and to increase the number of that class which Mr. Bright once described as men who "till the land and own the land they till." There is actually a Bill before the House, introduced by the hon. Member for the Bordesley Division (Mr. Jesse Collings), having for its object the increase of that class, and my right hon. Friend the leader of the House has only this evening given the assurance that the Government are going to deal with the subject if time should permit. For my part, I should rejoice if it were possible to carry a Bill for this purpose during the present Session. But what encouragement are the Mover of this Resolution and his supporters giving to the people to invest their hard-earned savings in the purchase of land for small holdings? Will they be encouraged to purchase with threats of this kind hanging over their heads? I declare I can conceive no proposal more calculated to defeat, to render useless, and absolutely inoperative every measure that may be passed, and every effort that may be made in this House to advance the interests of the class of small agriculturists. Agriculture is something more than one of the industries of this country; it is its chief, its greatest and its foremost industry. Of late years, unhappily, we have fallen upon evil times, we have passed through a cycle of agricultural trouble and depression such as probably no man living has ever known before; but now, thank God, there is reason to hope that we have seen the worst; and I must say it speaks well for the pluck, the courage, and the mettle of our agriculturists and farmers that on the appearance of the first glimmer of sunshine they have thrown themselves heart and soul into their work, and are doing their utmost to recover and, if possible, to repair the past. What that past has been, and what the difficulties through which the agricultural industry, which some hon. Members now seek to tax afresh, has gone, the House can judge for itself when I remind them that the decline in the annual value of land, as assessed for Income Tax, during the last decade has been no less than £400,000. And this is the moment which the hon. Member selects. This is the moment which he considers to be appropriate and auspicious for putting forward his *doctrinaire* schemes, in order I suppose, to assist and encourage agriculturists in the work they are endeavouring to perform, and the only possible result of which can be to bring ruin on thousands of individuals, and to add largely to that amount of land in this country which unhappily has gone out of cultivation and has ceased to be useful and profitable already. I think I have said enough in reply to the hon. Gentleman, and I do not wish to detain the House longer. On the part of the Government, I have to say we will have none of his proposals. Parliament, I am persuaded, will not sanction them, I am satisfied the country, does not desire them, and I hope the House of Commons will reject what, under all the circumstances, appears to me to be a most singularly ill-timed and injurious proposal.

(6.40.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I shall endeavour to imitate the right hon. Gentleman in keeping the remarks which I have to make within a very moderate compass, and, to begin with, I shall express my concurrence with the right hon. Gentleman upon two points. In the first place, I am prepared without pity or scruple to deliver over Mr. Henry George to the right hon. Gentleman's tender mercies. There are persons who view the proposals of Mr. George as proposals of a very enlightened character, and who very much resent the use of hard words respecting him. I shall carefully eschew hard words; but I will say that, so far as my examination or knowledge of his proposals goes, I find it extremely difficult, and, indeed, for myself altogether impossible, to exclude them or extricate them from the category of those plans to which hard words no doubt are commonly applied. In the second place, I agree with the right hon. Gentleman that those connected with the agriculture of this country have behaved well in the crisis through which they have been called upon to pass. I think that the farmers of this country—though they are accused of occasional grumbling, which, however, is the privilege of every Englishman—I think that they have borne what they have had to bear with very great firmness and courage, and that they have applied themselves with remarkable energy and spirit upon the first revival of hope in connection with the condition of agriculture to make the best of their great and noble pursuit. I am bound also to say—although I think sometimes that the landlords of this country are a great deal too much given to complain—that during these times of reduction of rent—a fact established by the Income Tax Returns—they have, on the whole, borne that reduction with patience and resignation and in a spirit which befits a great class of Englishmen. At this point I am afraid my concurrence with the right hon. Gentleman ceases, and I fear that my view of his speech is one that he will be very far indeed from approving. But it is an important speech, because we must bear in mind not only that the right hon. Gentleman represents the Department of Agriculture, but that he has been chosen on this occasion as the organ of the Government to express the views of the Government. I thank my hon. Friend for having simplified the issue, but I wish to take particular notice of certain declarations made by the right hon. Gentleman. In the first place, I notice one declaration—that the effect of protection is undoubtedly very largely to increase the prices of agricultural produce. That is an important declaration coming from the Government when applied to the history of this country.

*Mr. CHAPLIN: I said in many of the countries in which it has been tried.

Mr. W. E. GLADSTONE: Does the right hon. Gentleman mean that Protection in one country tends to increase the prices of agricultural produce, but that in another country it does not? Why, Sir, if it has increased the price of agricultural produce in foreign countries, I think I am justified in saying that would have been the case in this country; and I am sorry to say that it stands upon record that for many generations, when the landed class was in almost exclusive and absolute possession of the two Houses of Parliament, they maintained a rigid system of Protection to raise the prices of commodities in which they dealt themselves, and when finally the proposal was made to abolish that system of Protection they offered to it the most desperate resistance, and they drove from their ranks that most illustrious man whose name will ever remain honourably associated with the emancipation of trade and commerce in this country. Now, that is an awkward admission on the part of the right hon. Gentleman, but when he came to criticise the speech of the Mover of this Motion with respect to rates he made a declaration, which I carefully recorded by the aid of my pencil, and which I think ought to be engraved not only upon a fly sheet of paper that will find its way to the waste-paper basket or the fire, but which ought to be recorded upon the living tablets of the hearts of the House of Commons and of the people of this country. The right hon. Gentleman contests, with a great deal of truth, the doctrine of my hon. Friend that the rates are paid entirely by the occupier of the land in this country. No doubt they are paid immediately by the occupier of the land, and the immediate benefit of a reduction of the rate goes to the occupier, as the burden of an increase goes to the occupier also. But the right hon. Gentleman evidently referred to the ultimate incidence of the rate, and he stated in terms, quite unreservedly, that if the rates were so much more the rent was so much less, and that the whole rate in the last resort was paid, not by the occupier, but by the owner. That is a very important declaration, and one that ought to be borne in mind not only in the present Debate, but in future Debates which will infallibly arise on this question; because now we have it on record from the speech of the Minister who has been selected to declare the deliberate voice of the Government that the rates are paid by the owner of the land in the last resort. Consequently, there stare us in the face these facts—that about three years ago the Chancellor of the Exchequer made a present of £5,000,000 from the Consolidated Fund to the rates. He also added last year another £1,000,000 out of the abundance of his riches, and when he did not know what to do with that plethora of wealth with which he was oppressed. That £6,000,000 was given by one who is not the youngest Member of this House, and who had not been just sent up by his constituents, but by one who had had great experience, and who, with that experience, made this present to the land at the expense of the Consolidated Fund—which is made up by the labour quite as much as by the property of the country. He made that present to the landowners.

Mr. GOSCHEN: I beg my right hon. Friend's pardon. When my right hon. Friend (Mr. Chaplin) spoke of the land, he pointedly distinguished between the urban case and the agricultural case. He did not state that the owner in towns stood in the same position as the owner in the country. The right hon. Gentleman also errs in his memory. It was £3,000,000, not £5,000,000.

MR. W. E. GLADSTONE: Oh, yes, I beg pardon; I admit that correction. I spoke of the whole, but it was not all given by my right hon. Friend, for a portion was given by his predecessor. I quite admit that that explanation is one which it becomes the Chancellor of the Exchequer to give. I am not quite certain, however, why it was that the Chancellor of the Exchequer found it necessary to explain the speech of his right hon. Friend. It is an unusual incident of Parliamentary discussion, and I do not know whether it is part of the principles of the present Government or whether it has any connection with the maintenance of the Union. I am quite aware that there is a distinction to be drawn between urban and rural land in respect of the incidence of the rates, and that in the case of urban land it is very much more difficult to lay down an absolute and positive doctrine. I did not hear the President of the Board of Agriculture draw that distinction.

*MR. CHAPLIN: Pardon me; I stated that the two were absolutely separate from each other. I dealt first with the question of urban land, and then, in the later part of the speech, I spoke of rural land.

MR. W. E. GLADSTONE: That is quite true; but I did not hear him draw a distinction between them with respect to the incidence of the rates. I quite admit that the distinction ought to be drawn, though I am prepared to admit, in the case of the urban land—although the process may be much more difficult to trace, and though it may not be absolutely clear as to its ultimate form—that in that case also the landlord obtains in the long run the bulk of the remission. But when I spoke of those £6,000,000 I did not intend to convey that the whole of those £6,000,000 were given to the owners of the land. They were given to the whole of the rates in the three countries, and not in England alone. But this fact stands—that as to all that portion of the £6,000,000 which went to the relief of rates falling upon rural land, it is in the long run a sheer, unmixed, undiluted gift to the landlord. That is the statement which I wish to place on record, and a most important statement it is. There is a point I want to notice in the speech of the right hon. Gentleman, because he did me the honour to refer to a speech made by me in 1853 on the subject of the Income Tax, and he has founded upon that reference to my speech a case of grievance for the land. He says that there is a grievance for the land under the Income Tax, and that I proved it by showing that, according to the best computation I could make, the 7d. in the £1 in Schedule A, taking the case of householders or rural land, was equal really to 9d. in the £1 under any other Schedule. It is perfectly true that I used that argument, and though it is not capable of being stated in a precise or mathematical form, I believe the substance of it is sound. But what was the purpose of that argument, and in what circumstances was it made? It was made in a Debate when the House of Commons was very largely set upon constituting a difference of taxation between the different Schedules of the Income Tax. The Liberal Party was very largely of opinion that if realty were charged at 7d., income proceeding from such sources as those of Schedule D ought to be charged at a lower rate; and not only so, but a Conservative Government adopted that doctrine. The Government of Lord Derby, by the mouth of Mr. Disraeli, had had immediately before a proposal submitted to Parliament to reduce the tax under Schedule D to 5d., while the tax under Schedule A was to remain at 7d. It was in answer to that proposal, it was to induce the House of Commons to give up that plan, which opened the door to a large and complicated subject, that I pointed out to the House what was the truth—that as far as Schedule A is concerned, in comparison with Schedule D, the land undoubtedly pays more, especially in England, than 7d. in the £1. In Scotland it is not less than 7d. in the £1, but still it is less than in England, because in Scotland the landowner does not execute the repairs to the same extent, and likewise because there is an allowance made to the Scotch landlord on account of the public burdens. In Ireland the landlord enjoys a happy exemption indeed, for he falls back on the Poor Law valuation, and, as he has nothing to do with repairs and improvements, he really pays less than 7d. Those were the circumstances in which I endeavoured to show that the land under Schedule A pays more than 7d. in the £1, and that the burden is greater than it is commonly supposed to be. My right hon. Friend (Sir W. Harcourt) reminds me that it might be urged that that has been redressed by the contribution. If we are to speak of that I would say that, in my opinion, it has been a great deal more than redressed by the contribution. But I was about to refer for a few moments to what was done by the Chancellor of the Exchequer in respect to the remission of rates. In respect to that remission of rates he made a change in the Succession Duties, and that change in the Succession Duties was supposed to redress and equalise the balance in the interests of personalty as against realty, after the great gift made from the rates. The £5,000,000—now £6,000,000—having been given from the rates, what my right hon. Friend then proposed by way of an equivalent was to lay a tax which, so far as all personalty was concerned, would have been comparatively of a very insignificant character, reckoned in hundreds of thousands and not in millions at all; and, so far as land was concerned, was even less than insignificant, if possible. I believe my right hon. Friend raised the rates on lineal succession to 1½ per cent. from 1 per cent., and made a very considerable increase on successions not lineal. But it is always to be borne in mind in dealing with Succession Duty that in the case of land the great bulk of successions are lineal, and the consanguinity scale operates in a totally different manner in the case of landed property from that in which it operates in the case of personal property. The fact is this, that—I am not now speaking of rural land alone—while realty has received an enormous boon at the expense of the Consolidated Fund, a boon of which the whole, in the case of rural land, goes to the landlord, and of which a large part, if not the whole, in the case of land not rural goes to the landlord—while that boon has been given to the landlords of the country, rural and urban, at the charge of the Consolidated Fund, a compensation has been administered to the Consolidated Fund in return, which is, I believe I am right in saying, an affair of a few hundreds of thousands of pounds. In these circumstances, what is the position of the Government? Are we permitted to hope that the Government will do something more to redress the balance, something which will bring the change in the Succession Duties to a point, if not equal, yet, at all events, more nearly approaching to the enormous boon that the owners of property have received? No, Sir; the Chancellor of the Exchequer long ago told us that he had nothing more to offer, that he could hold out no further expectation; and the right hon. Gentleman the President of the Board of Agriculture has to-night not only given emphasis to that doctrine, but has told us, and told us on behalf of the Government, that it is the rural landlords who have a grievance, that they already pay too much, that they, if they chose, might make out a case for relief from the House of Commons, and come before Parliament as a claimant. That, we are to understand, is the position taken up by Her Majesty's Government in the face of the industry and labour of this country. These, I think, are very important declarations and deserve to be recorded and carefully borne in mind. I think the Chancellor of the Exchequer will have to restrain himself a little, perhaps, in order to keep fully abreast of his right hon. Colleague. On a great variety of subjects he has shown a wonderful suppleness and elasticity, of which in former years he was not at all suspected, when rigid doctrines and very liberal doctrines had possession of his breast. How that may be I know not, but this I know: that the question between the rates and the Consolidated Fund is not a settled question, that no proper equivalent, no fair and proper consideration, has been given to the Consolidated Fund by a readjustment of taxation in respect of that enormous boon which has been handed over to the rates, and that a further and larger change than has yet been made in the Death Duties is, in my opinion, a matter of absolute necessity, on the plainest ground of justice, before Parliament will have fully vindicated its character as the just distributor of benefit and burden among the several classes of the community. It is not necessary for me now to enter at large into that question. I will only say there is one other question, in which, perhaps, the Consolidated Fund has a less interest, but which appears to me to be embraced within the scope of the Motion as it now stands—it is that which is commonly known under the phrase of the taxation of ground-rents. It appears to me beyond all doubt that under our present system ground-rents enjoy undue exemption; and in the Metropolis, in particular, the owner of property has long enjoyed, at the expense of the ratepayers, privileges which are really unjust. I do not now speak of the manner in which these difficulties should be dealt with, but, undoubtedly, this is a matter as to which the people of London do look to Parliament to effect a material change and improvement in their condition, and as to which I think, on grounds of justice and high policy, it will be important to make a change. I will not trouble the House further on these enormously important points. I think the speech of my hon. Friend the Mover of the Resolution contained a great deal of important elucidation which will be of value in the country. The House will see that this, after all, is the only way of keeping alive a protest which it is the duty of the Liberal Party to make upon the subject of the present distribution of the taxation of the country. Depend upon it the time will come when these efforts will bear their fruit, and when, after due and fair consideration of all claims on all sides, an endeavour will be made to bring the taxation of the country, as between property and labour and as between real and other property, into a state as near exact justice as human infirmity will permit.

*(7.10.) SIR R. PAGET: The remedy suggested by the Mover of the Resolution is that there should be a large extension of the Land Tax as at present levied. I wish to call the attention of the hon. Gentleman to one sentence in the same Report of the Inland Revenue Commissioners from which he quoted, which deals with the question of the Land Tax. I will give one paragraph of the Report showing what was the early inception of the tax, which is as follows:—

> "Nothing can be more certain though it is but little known, than that the so-called Land Tax was in effect a Property and Income Tax, and moreover that personal estate was quite as much the object of the charge as land."

There we have the historical statement of the original imposition of the Land Tax; it was a tax upon property and personal estate. How is it that it now touches land alone? Personalty has, it seems, escaped by some of those mysterious means by which owners of personal property do occasionally contrive to evade their responsibilities. The right hon. Gentleman who has just sat down has made merry at the expense of the President of the Board of Agriculture, and has pinned him down to the statement that the ultimate burden of rates in rural districts falls on the owner and not on the occupier. But I thought that that was one of the things long since settled, and about which there can now be no dispute. If that statement requires any qualification whatever it is this—that every occupier has to bear the additional burden of increased rates that occurs during the time of his tenancy. Still, on the other hand, the occupier gets the advantage if the rates are diminished during his tenancy. Subject to that very small qualification it is plain that the ultimate burden of the rates in rural districts does fall on the owner, and is a burden upon his property. Any relief to that burden is I admit distinctly ultimately a relief to the owner, but the whole burden of the argument that has been adduced in this House time after time is this—that if the figures of taxation were calmly summed up they could only lead to the one conclusion that readjustment of taxation was necessary in order to establish an equilibrium.

Of the points which have been touched on I wish specially to mention one—that every step taken, either by the Chancellor of the Exchequer, or those who have preceded him in that office, has been based on figures which cannot be confuted—figures by which we are distinctly told that one class of property—personal property—is increasing in value in England by leaps and bounds, while another great class of property—that in land, especially in rural land—is steadily diminishing. Those are facts which cannot be denied, and the circumstances of the case clearly show that a re-adjustment is both right and reasonable. We are sometimes told that all these things are to be explained away by what is called the doctrine of hereditary burdens. It is claimed that those taxes are hereditary burdens, and are, therefore, no burdens at all; but that argument seems to me to be disposed of by the *reductio ad absurdum.* How long is it necessary that a burden should rest on the land before it becomes hereditary? Is it possible to contend that the burdens connected with expenditure on elementary education are in any respect hereditary burdens? Or will anyone urge that the burden of police maintenance is an hereditary one? For the imposition of compulsory education and the institution of the Police Force have taken place within the memory of all of us here. It is to be regretted that the Mover of the Resolution has spoken throughout under the influence of a complete fallacy as to the ultimate burden of rates, which has not been shared by the Seconder or by any other Member of the House—indeed, one half of the argument of the Mover of the Resolution has been admirably met by the Seconder. I regard it also as a misfortune that we have been brought down here to debate a great number of separate issues which have been presented to us at considerable length. I should like to hear one clear Debate on one point alone, namely, as to the comparative burdens of personal estate and land and house property. I repeat, it is capable of absolute proof that if houses and land are compared with personal property the burdens upon them would be found to be infinitely greater. I will go further and say that if we split up real property into the two great divisions of land and houses and compare them, it will be found that in respect of State subventions houses have very largely the advantage. In the recent adjustments of taxation made by the Chancellor of the Exchequer it is clear that houses have benefitted more than land. The right hon. Gentleman the Member for Derby shakes his head, but I think it might be proved by figures. I quite grant that in the Metropolis the amount of the subvention has not been to the same extent as it has been in the case of boroughs or rural districts, but there is another point to be considered — the Metropolis it must be remembered has £150,000 towards the expenses of the superannuation of the police; and that sum was largely in excess of any share which would have accrued to it if the whole £300,000 given for that object had been divided equally among all the districts. The question is an intricate one, but I again maintain it is capable of absolute proof that the contention of the landowners is a reasonable one. On their behalf I ask for and court a most complete inquiry. They only want equality of taxation; they want no kind of favour from any Member or any Party in the House; they want nothing more than an absolute re-adjustment on the basis of equality and justice.

(7.27.) Dr. CLARK (Caithness): The argument which has been put forward is that the present Land Tax was, in its origin, a tax upon both real and personal property, and those who represent agriculture are asking that the Land Tax shall be reduced. But may I point out that there is, from an historical standpoint, still stronger reason for increasing it. Why was the Land Tax of William and Mary passed? Because the first Parliament, after the Restoration, abolished all other burdens on land, such as scutage and socage, and in place thereof placed the burdens on industry. Until that time the bulk of the cost of keeping up the Crown had been on land, but the Restoration Parliament placed the tax equally on personal and real property.

But it is forgotten sometimes that the Land Tax was stereotyped at the then value of the land—that is to say, on a valuation made 200 years ago. If the Land Tax were paid at the present value of the land, instead of giving the owners a subvention of £2,000,000 a year, the taxpayers would be receiving £40,000,000 a year from the land. I hold what probably in this House are unpopular views on this matter. I am one of a small minority here, and possibly a minority also in the country, but still a growing party, who wish to put taxation not upon rental but upon land value. We do not mean by that merely the agricultural value of land, but the value increased by the buildings upon the land. In towns or on agricultural land near towns you could place millions upon the taxation of land values, and by the time you have placed upon land round about London some 16,000,000, I believe you will be only reducing the value of the land to the position in which owners of agricultural land are at present. I repudiate the idea that landlords represent the agricultural interest. They might as well claim to be miners as agriculturists. They might claim to be miners because they let the mines to people who work them and make money out of them. I do not want to prolong the Debate, because I know there is an understanding that we shall take a Division before dinner time. The argument advanced by the Minister for Agriculture and the hon. Baronet the Member for the Wells Division simply proves that a series of rights accompanied the possession of land, and were given on condition of the performance of certain duties, but owners have practically repudiated these duties upon which the tenure of the land was given while they retain the land. The present system tends to place the heavier burden on the land least able to bear it. It has been suggested that small owners under the Bill introduced by the hon. Member for Bordesley (Mr. Jesse Collings) if they think there is going to be an increase of land taxation will not buy; but I think there is every indication to those who follow the progress of opinion among the Liberal Party, and may desire to purchase allotments and small holdings, that they need not be deterred from doing so by the suggestion that their burdens as landholders will be increased, because the taxation that is aimed at, as the Minister for Agriculture well knows, is not the taxation of agricultural values, but the taxation of land values in and near towns, which present a splendid field for a future Radical Chancellor of the Exchequer.

(7.35.) The House divided:—Ayes 128; Noes 77.—(Div. List, No. 70.)

Main Question again proposed.

BOARDS OF ARBITRATION FOR TRADE DISPUTES.

*(7.46.) MR. MORTON (Peterborough): I am aware that I cannot take a Division upon the Motion of which I have given notice, and which is in the following terms:

> "That it is desirable to appoint Boards of Arbitration for the settlement of trade disputes throughout the United Kingdom, which for that purpose shall be divided into such districts as Parliament may determine; the Arbitration Boards to be composed equally of the representatives of capital and labour, and to be presided over by a Chairman who shall be appointed by the Crown, and shall have no vote except a casting vote; the reference to such Arbitration to be with the consent of both the disputing parties; and the award to be final and binding on both parties."

Under the circumstances, it may be thought just as well that I should not move this. We shall be told, of course, that there is to be a Royal Commission to consider among other things the question which I have made the subject of my Resolution; and, therefore, it may be thought by some hon. Members that it is not necessary or right to discuss the matter now; but, so far as I can see and understand the position, that affords an additional reason why we should discuss the question at the present time. I do not say that the Government or the Tory party wish to shelve this question until after the next General Election; but certainly the effect of their proposal of a Royal Commission will, to a large extent, lead to the shelving of a question which, in my opinion, ought to be considered by the House of Commons at the present time. For my part, I do not see much use in an Inquiry by Royal Commission; for practically all the questions we wish to have considered are, with one exception, ripe for discussion in the House now. The one exception is the question of an eight hours day for all trades throughout the country. That question is not in a position to be settled now. In regard to the mining industry the miners have quite made up their minds, and I do not see that the question at all need be entrusted to a Royal Commission. Then in regard to the settlement of labour disputes generally, surely matters are quite ripe for legislation on this question if they are ever going to be. As to this Royal Commission, of course I cannot say how it is going to be constituted, but I do not think it will be of any use at all unless at least half of its members are working men or the representatives of working men. If the Government do as they did the other day in the appointment of the Committee on the railway hours and nominate only one working-men's representative in proportion to 23 others then the Commission will not be much good so far as the assent of the working-men to its proposals is concerned, and without such assent I do not see that the proposals can with advantage be carried into legislative effect. To attempt to force a settlement upon the working classes against their wish is bound to be unsuccessful now that they are able to exercise a powerful influence by their votes at elections. My Resolution is intended particularly to deal with strikes, the most important of the matters in relation to labour questions with which we have to deal. Nearly every strike is caused by the insufficiency of the wages paid, and the refusal of employers to consider the dispute with the representatives of the workmen. A most important strike occurred among the dock labourers in the Metropolis in 1889, and I will endeavour to show what the effect of that strike has been, and if I can show that the effect has been bad on the general interest of the country, I shall have gone a long way to prove my case.

(7.49.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. MORTON: I was proceede about to consider the cost in connection with the dock labourers strike in London. We are told in that very excellent Board of Trade Report on the strikes and lockouts of 1889, that the cost was two millions of money directly, and probably there was a loss of another million indirectly. Then a little later we had the dispute between the South Metropolitan Gas Company and their men which cost the Gas Company £75,000 and, of course, it also cost the working classes a very large sum. Then, we are told in this Report, that during 1889 there were 1,145 strikes, more than half of which were caused by disputes as to wages. Then in 1890 we come to the matter which especially induced me to put my notice down—the strike of the railway men in Scotland at the close of last year. Trade was so much disturbed by this strike that it is almost impossible to calculate what the loss was. I think we might mention millions, but certainly to the companies and to the men the loss was very large indeed. Then there is another strike now going on, and which we hope may be satisfactorily settled, but still it means great loss to the parties concerned. There can be no question that the loss to trade and to workmen by these strikes is very great indeed. The noble Lord the Member for Paddington (Lord Randolph Churchill), speaking last Saturday, said "a strike may be more disastrous than a civil war," and he went on to observe that there was no endeavour on the part of employers to settle these disputes without a strike. He said:—

> "We observe that a certain section of the Tory Press, representing, I fear, a certain section of the Tory Party, thinks it necessary whenever a strike occurs to take the side of the employer to immediately denounce the labourers for resorting to extreme measures; to egg on the employers to resort to extreme measures against the men."

Well, I suppose the noble Lord sitting on the other side of the House probably knows the opinion among the Tory Party. But the question is, how can these labour disputes, when they arise, be settled without having recourse to strikes?

I am aware that my proposal is not a new one, that it has been considered by many before I put the Motion down, and there has been a certain amount of success attending it. My proposal is to appoint Boards of Arbitration for the settlement of these disputes, composed equally of representatives of capital and labour. Now, the first difficulty we meet with is that, although a great many workmen are in favour of settling these disputes before they come to strikes, still there is a difficulty in some people's minds about Parliament having anything to do with these matters. I find in the Report of the Trades Congress held at Dundee in 1889 that the members of the Congress were in favour of—

> "Joint Boards of employers and workmen as being well calculated to result in a better understanding between them, and to effect the settlement of important questions affecting the interests of both."

And the Resolution went on to urge Trade Councils and other representatives of workmen to put this matter before the Chambers of Commerce and other bodies of employers with a view to the formation of such Boards, and they indicate the advantage of such boards by reference to the result of the dockers' strike. Now, I gather from the Report of the proceedings that, while the Congress were in favour of questions being submitted to Joint Boards composed equally of employers and workmen, the difficulty that occurred to them and the objection they felt to Parliamentary action was that they thought that re-reference to arbitration might be made compulsory. My Resolution does not carry compulsion, and, in fact, at the end the Resolution reads—

> "The reference to such arbitration to be with the consent of both the disputing parties."

So there would be no compulsion to submit the matter to arbitration. Why I urge Parliamentary action is not so much on account of the workmen, for I believe they are quite prepared to do something of this kind, but because, having the Scotch railway dispute in my mind, I think employers do not seem willing, if they can possibly avoid it, to adopt any sort of arbitration whatever. It, therefore, may be necessary before we can get anything done in the matter that there should be Parliamentary action, not for the purpose of compelling either party to go before these Boards, but there being Boards of this sort composed fairly of the representatives of each party there would be immense responsibility attaching te either party refusing to accept this means of arriving at a fair settlement of the dispute. The noble Lord (Lord Randolph Churchill), in that speech to which I have already referred, made a suggestion which somewhat resembles mine, that there should be—

> "State Boards of Arbitration, to which both parties can refer their differences, and which, even if they have no other sanction behind them, will, if properly composed, have behind them the powerful sanction of public opinion."

Well, although under my proposal the parties to the Scotch Railway dispute would not have been compelled to submit to arbitration, the party refusing such reference would be made responsible by public opinion for what might follow.

(8.0.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. MORTON: If you wish to get these things settled it can only be done by dealing fairly with both parties. If you could have Boards of Conciliation or other Boards before whom disputants would be willing to go, so much the better. But, as a matter of fact, it appears that disputants do not go before the Courts of Arbitration or Conciliation provided for under existing legislation. No doubt there are a great many disputes which ought to be settled without having recourse to strikes. This Return on Strikes and Lock-outs shows that more than 50 per cent. of the strikes have been settled in favour of the working men, especially in those cases where an increase of wages has been asked for, thus showing that the men have not been wrong in asking an increase. Something has been done in this direction, but, to my mind, not enough. In connection with the 1,145 strikes which occurred in the year 1889, 714 were settled by arbitration, or a good deal more than half. Another important reason, to my mind, why there should be some attempt made by the Government and the Unions and Parliament to settle this question is that so many men are concerned. We are told that the number of men concerned in the strikes in 1889 was 334,484, and it is obvious that such an enormous number of men being thrown out of work must have caused a terrible amount of misery; therefore, there is good reason for asking Parliament not to wait for two or three years, but to endeavour to do something at once. I am not all alone in my idea that the question of wages should be considered by these Boards. I find that only the other day the Under Secretary of State for India (Sir John Gorst), speaking at Chatham, said the workmen were entitled to

> "Shorter hours, better wages, and more leisure to cultivate their souls and their intellects."

We, therefore, have another opinion from the other side of the House, that there is some reason why working men should ask for an increase of wages, a reduction of hours, and various other ameliorations. Of course, in connection with this question, I am aware that some employers think that they can put down combinations and unions altogether, or that they can put such restrictions upon them as to render it impossible for them to exist. Well, I think these people are wrong. Such efforts certainly have not been attended with very much success in the past. I do not think it is possible to put down combinations, nor do I think it would be wise for us to attempt to do so. I find that the Under Secretary for India on the occasion I have referred to said "any attempt to place restrictions on combination would be swept away." He is quite right. He took care on that occasion to say he was not speaking for the Government, and, therefore, I do not put him forward as speaking for the Government, but his, at any rate, is a Tory or Conservative opinion. He went on to say—

> "A great improvement had been effected in the condition of the working classes during the last 50 years by the Trade Unions, who had been instrumental beyond any other institutions in preventing strikes."

Mr. Morton

I mention that because, as I have said before, I believe the difficulty we have to deal with is not with the working men nor with the combinations, but with the employers, backed up by the Government and Parliament, and other influences for putting down the workmen and keeping them down. So strongly did the Under Secretary for India feel on this subject that

> "He urged the creation of a Ministry of Industry and some Government Department to look after the interests of the working classes."

It may be necessary, or it may not be necessary, to have such a Ministry; but this shows there is a strong feeling amongst some hon. Gentlemen on the opposite side of the House that the time has arrived for doing something in this matter. Even the Corporation of the City of London has been attempting to do something, though not specially in connection with disputes between masters and workmen. I am glad to think that the Corporation of the City are trying to do something. Whatever opinion some people may entertain of the Corporation there is no doubt that in the great dockers' strike the Lord Mayor—Sir James Whitehead—did noble work, together with Cardinal Manning and other gentlemen, in trying to bring about a settlement. Finally, a settlement was arrived at. For hundreds of years there have been attempts—and successful attempts—to settle commercial disputes and disputes between masters and men by Courts of Arbitration or Conciliation. In France, according to statistics prepared by the French Government in 1841, there were 62 Courts, and in 1880 132 for the settlement of disputes between masters and men. These Courts settled 39,429 disputes which occurred during the year 1880, and I find that 59 per cent. of these disputes related to wages. When we find that so many of such cases are settled satisfactorily to both parties by Courts of Arbitration which, I believe, are composed partly of workmen and of employers, it is a proof that we might anticipate success if we had similar Courts in this country. I am told, though I have no actual data, that in at least one of the States of the United States they have compulsory Courts of Arbitration. I have already said I do not think we are far enough advanced in this country at present to have compulsory Courts, but, of course, the time may come when we may get as far as that. In the meantime, the greatest difficulty is that the men themselves are against compulsion in any way whatever. In the words of a learned Recorder—

> "The only remedy for these strikes would be the appointment of some tribunal, say, on the lines of the Railway Commission, to arbitrate as to hours between master and man."

These, again, would seem to require the assistance of some representative body or Committee, as well of employers as of employed. I will not take up further time by endeavouring to show that it is possible to have Courts of Arbitration that might be of some use. Strikes are bad for everybody, and it is our duty as far as we can to get rid of them and put an end to them in a manner that shall be satisfactory to both parties. I suggest in my Resolution that we should have Arbitration Boards composed equally of representatives of labour and capital. There would be some difficulty in defining the limits of the districts, and in deciding upon the constituency which should appoint the Boards both for the men and employers; but if we got so far as to decide on having these Boards, I have no doubt that the men, through their unions and combinations, would easily be able to appoint representatives. There would be no difficulty in appointing people to represent them, or in getting together a Board of Arbitration, who would fairly and honestly represent both parties in the dispute. There is another difficulty. I have suggested that the Chairman of this body should be appointed by the Crown. There would be difficulties raised as to who should be Chairman to preside over the sittings, and as, after all, someone would have to be appointed, I do not know that my suggestion is not as good as any other. I have no doubt the right hon. Gentleman the President of the Board of Trade would make a very good Chairman for a Board of this sort. I have no doubt both masters and men could depend on his acting honestly and fairly in their interests, and hearing everything that was to be said on both sides. I know he could not always do the work, and that, therefore, other gentlemen would have to be found. I have no doubt that if we made up our minds that something of this sort was to be done there would be no difficulty in finding gentlemen of independent means who would be trusted by both parties to act as Chairmen of these Boards. I do not propose that the Chairman should have a vote, except a casting vote; but I am satisfied, from my experience amongst working men, that the occasions on which he would have to use such a vote would be very rare indeed. If a dozen representatives, six on each side, sat down to consider a dispute previous to a strike, and before there was much bad feeling among the parties, they would, as a rule, come to some agreement without calling on the Chairman to exercise his casting vote. You could not very well compel men to go into an arbitration unless they were consenting parties. If you did your Court would not last very long, and, instead of settling labour disputes, you would go very near to bringing about a revolution. The award, however, when given, should be binding on both parties. Appeals are allowed in some places; but it would not be easy to say to whom an appeal should be allowed. I have no doubt it would be considered by some people a harsh thing to make the award of arbitrators binding; but I do not think much weight should be attached to that view. We have Courts of Arbitration now, and there is not much difficulty in carrying out their decisions, because, after all, the parties know that somebody has to give way in the end. If either party, however, objected to the award being final, there might be found a Court which would consider, if not all the points of the reference to the arbitrators, at all events certain practical questions. I am sorry I have detained the House so long, but I do think this is a most important matter, and I do not think the Government have acted wisely in sending the question to a Royal Commission. Unfortunately, as far as I can gather, it generally takes two or three years before a Royal Commission reports, and then you frequently have a Majority Report and a Minority Report, so that, except for the information you have gathered, you are very much where you began. Therefore, I should have been better satisfied if the Government had attempted to deal with this question of strikes at once. The railway hours question has been referred to a Committee; but if that question is ripe for consideration by a Committee, and is likely to be dealt with during the present Session, it appears to me that the question of strikes is still more ripe. It may be said that, as a Royal Commission is going to be appointed, it is unnecessary or unwise of me to say anything on the subject at present. That is not my view of the matter at all. I think the question ought to be considered by this House, even only for the sake of discussing it and giving the Royal Commissioners more information regarding it than they have at present. In conclusion, I may say I shall be very glad indeed, as far as I am personally concerned, if in my humble way I can do anything at all to settle these disputes amongst workmen and masters. I shall be only too pleased to do all I can. I am personally aware, on account of my profession, of the difficulties which arise on the question; but I can say that, as far as the men are concerned, there is, as a rule, very little difficulty in getting them to settle matters, the difficulty being more generally with the masters. I should like the Government to appoint on the Royal Commission a large number of what are called working men's representatives—not necessarily Members of this House—and I would press very strongly upon Her Majesty's Ministers the necessity of considering this part of the question.

*(7.28.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I fully admit the importance of the question to which the hon. Member's remarks have been directed, and no one can more strongly desire than I do an increase in any way of the means for a peaceful solution of questions between employers and employed. But I am surprised that an hon. Member who has occupied something like three-quarters of an hour in explaining his opinions on the subject and asking for legislation should be entirely ignorant of the fact that Parliament has passed several Statutes to carry out the object he has in view. I think it would be better if the hon. Member would attempt to inform himself on the question before he makes any further attempt to inform others. I am surprised also that the hon. Member has not felt, in view of the almost empty state of the House, that he was wrong in bringing this subject forward now. When my right hon. Friend the First Lord of the Treasury announced the other day that the Government would appoint a Royal Commission the hon. Member for Whitby (Mr. E. W. Beckett), who had a Motion on the Paper similar to that of the hon. Member, saw at once that it was not desirable to press it. It is perfectly obvious that the House of Commons does not desire to discuss this question now, but is content to leave it to be dealt with by the Royal Commission.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House was adjourned at half after Eight o'clock till Monday next.

An Asterisk at the commencement of a Speech indicates revision by the Member. *by Contract with H.M.'s Government.*

HOUSE OF LORDS,

Monday, 2nd March, 1891.

SALE OF GOODS BILL [H.L.].

A Bill for codifying the law relating to the sale of goods—Was presented by the Lord Herschell; read 1ª; and to be printed (No. 48).

SMOKE NUISANCE ABATEMENT (METROPOLIS) BILL [H.L.]—(No. 22.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD STRATHEDEN AND CAMPBELL: My Lords, I rise to move the Second Reading of a Bill for abating smoke in the Metropolis, and I shall not detain the House by any formal or extended statement on the subject. I happen to be myself a victim to the fogs, for the abatement of which the Bill proposes to operate; and, having been unable to attend the House at all last week, am still incapable of speaking for more than a few minutes. Let me mention here that I have to-day received a communication from the noble Duke who owns so much of London, and whose interest in and zeal on the subject are so well known, that he is unable to attend this evening to support the Bill on account of a similar impediment. In any case, it might not have been necessary, or even desirable, to enter into any train of reasoning to-night upon the question. In substance, this Bill has been read a second time on four occasions by your Lordships—the first time after a Debate and a Division; the second time without any opposition; the third time unanimously, with an intimation that it should be referred to a Select Committee; the fourth time unanimously also. Another ground for avoiding a lengthened explanation at this moment is that should the Bill be read a second time and passed through Committee, of which, at last, this year there is some prospect, its opponents—and it has one or two opponents—may, on the Third Reading, think it proper to come forward and resist it. At that time argument will be required which now would be superfluous and wasted. There is only one point which I am bound to mention to your Lordships. It is that this Bill differs so far from the former ones that the interference or action of the Home Office is not in any way entailed in it; and as it stands, the Vestries will at once be armed with the power to act against the evil now so generally recognised and so widely felt. By that slight alteration it meets an objection which was uttered by that noble and learned Lord who, in 1886, for a short time occupied the Woolsack. Its substance is unaltered; it is directed, as before, against the emission of smoke from private houses, which it is ascertained by experts forms four-fifths of all the smoke in the Metropolis. There is only one further point that I am particularly anxious to press upon the House—it is that every year the case, as one may term it, in favour of the Second Reading is spontaneously increasing. Every year adds to the number of mechanical inventions and facilities for grappling with the smoke nuisance. Many might be mentioned now which could not have been even suggested when I last brought forward the subject before the House two years ago. Each year more mechanical inventions are brought out, and every year it will be easier for householders to act upon the provisions of the Bill when it is carried. But again, every year the evil to be resisted or mitigated is in itself advancing in extent, because every year (to understate it) 20,000 houses are known to be added to the number in the Capital. I shall urge nothing more because I am particularly anxious that those two facts should be remembered by your Lordships, and I therefore simply move that the Bill be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Stratheden and Campbell.*)

THE EARL OF KIMBERLEY: My Lords, I do not know whether any one else will call attention to this Bill, but I think your Lordships ought not to give it a Second Reading without well examining the nature of it. I suppose there will be no difference of opinion that the smoke of London is an intolerable nuisance—everybody agrees in that; and that when combined with fogs the nuisance is still more grievous; but it does not therefore follow that your Lordships should assent to the Second Reading of this Bill when, as I think, I can show your Lordships the effect of it would not be to establish a state of things which could be worked, and would not remove the grievance. First of all I wish to say in answer to what the noble Lord said about the Bill having passed—that is Bills for abating smoke nuisance—four times, a few words in regard to what took place last year. What took place was this: The noble Lord brought in a Bill on this subject, and it was referred to one of the Standing Committees of which I had the honour to be a member. The noble Lord, in spite of our having given him full notice of the time for the Bill being taken into consideration, did not do us the honour of attending the Committee. The Committee was then adjourned, thinking that possibly the noble Lord might not have known the hour of meeting; but, notwithstanding the opportunity thus given him, the noble Lord never appeared to explain to us the wording of his own Bill. The Committee, notwithstanding it was under the disadvantage of not having the advice and assistance of the noble Lord, went at considerable length into the subject, and produced a Bill which might or might not have been approved by the House, but which had, at all events, received very careful examination. Even then, however, the noble Lord did not take the necessary steps to prevent the whole matter falling through, the consequence being that the work of the Standing Committee was rendered entirely useless, and the Bill was abandoned. Now the noble Lord wishes to bring in a different Bill, and I will, with your Lordships' permission, briefly call attention to its provisions. The gist of it is contained in a few words. In future, if this Bill passes, there is to be a penalty imposed in the case of all dwelling-houses—I suppose hotels, clubs and eating-houses might be called dwelling-houses—from which opaque smoke is allowed to issue from chimneys. Of course the question arises immediately, "What is opaque smoke"? I suppose all smoke is more or less opaque. But we are not left entirely to conjecture. There is a definition given of "opaque smoke," and it states that that expression is to mean "Smoke of such volume or density as unnecessarily to impair the atmosphere." I am afraid I must confess I am not skilled in legal knowledge, but I should be exceedingly amused to see a Court in this country engaged in the task of endeavouring to determine exactly what "volume of smoke" would "unnecessarily impair the atmosphere." Surely that is not a definition sufficiently accurate to enable a penalty to be imposed upon a man for allowing such smoke to issue from a chimney. Then there is a provision which apparently is intended to guard against unnecessary hardship. In the 6th clause, which provides for the infliction of penalties, there is this further proviso—

> "That where any person is summoned before any Court in respect of an offence against this Act the Court shall dismiss the complaint if it is satisfied that the person so summoned has adopted all reasonable measures, regard being had to his means and condition in life, and has used due diligence and care to prevent as far as possible the emission of opaque smoke."

It seems to me that it would be very difficult to determine exactly the means and condition in life of every person who might be summoned under this Bill, and his power or use of due diligence in stopping smoke. Then there is a provision in the last clause which unfortunately seems to be rather premature. It says that—

> "The London County Council may from time to time make, and when made, alter and repeal bye-laws for requiring any fireplace or furnace intended to be used in any building to be constructed after the passing of this Act, to be so constructed as to consume, burn, or otherwise prevent as far as possible all smoke arising therefrom."

Now, I apprehend the difficulty is that unfortunately hitherto no fireplace has been invented for a private house which will consume its own smoke; therefore, the London County Council is not in a position to make these contemplated bye-laws. I will only add that I have not made these remarks from a desire to discourage anyone in a laudable endeavour to prevent, if possible, this smoke nuisance which we all concur is grievous, but because I do not think it is of much use to pass legislation which has not been sufficiently considered. Whether your Lordships may think it desirable to give it a Second Reading or not I do not know, but if a Second Reading is given to it, I do hope that when the Bill goes into

Committee, both when it is before the Standing Committee and also before the Committee of the whole House, the noble Lord will attend and give us full explanations as to the working of the Bill, and that afterwards he will not abandon it but will carry it through the House.

*LORD NORTON: With reference to what has fallen from the noble Earl, it seems to me all that is wanted is not new legislation, but the power to apply existing legislation to what may be called domestic fires. Statutes have been already enacted in respect of smoke from manufactories. In those Acts all the terms employed are well known, and have stood the brunt of legal discussion. I think the phrase there is not "opaque smoke" but "black smoke." At all events there is some phrase of that kind in the existing Acts which is intelligible and has stood legal criticism. I happen to know something of those Acts, because they emanated from the Report of a Royal Commission of which I was Chairman some years ago, and from which I may say all Acts connected with sanitary legislation have been taken since. I know the difficulties of the existing law from having tried to enforce it in a large town, Birmingham, in the neighbourhood of which I reside. The great difficulty is that the Magistrates are themselves the nuisance makers, and they will not enforce the Acts for suppressing it. What is wanted, I think, is more power in the Local Government Board to compel the Local Authorities to act, because so long as you entrust the smoke makers—that is to say the manufacturers, to inflict penalties upon themselves the law will be nugatory. What is wanted, in fact, is to comprise domestic smoke within the provisions as to factory smoke, and give central power to enforce local action, and there is no doubt that can be done, for it is done at this moment by a Local Act at Bradford, and there can be no reason why the same thing should not be done as regards London. I think the noble Earl is wrong in saying that there has been no invention to make it possible that domestic fires shall consume their own smoke. There is one invention of very great simplicity which would entail no great expense, and which would make an enormous saving in fuel, resulting in great economy to everybody using it, besides improving the state of the atmosphere for the rest of the public. I think the object which this Bill attempts to meet ought to be carried out by legislation for the use in future of some such inventions. I am almost afraid to say what many manufacturers have told me with regard to the economy which would be effected by ensuring the consumption of smoke, and the very small expense of carrying it out in comparison with the value of the immense quantity of fuel that is now wasted throughout the country.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, if we go upon the principle of passing the Second Reading of all Bills with the intention and object of which we sympathise, I think we shall give a Second Reading to this Bill, but my support of it cannot go much further than that. It is one of the most painfully drawn Bills I ever saw. It says that—

> "The expression 'opaque smoke' means smoke of such volume or density as unnecessarily to impair the atmosphere."

This is an interpretation clause which, I think, would give infinite pleasure, amusement, and occupation to Her Majesty's Courts of Justice. The expression "means smoke of such volume or density as unnecessarily to impair the atmosphere." So that there may be smoke with no density at all; it may be absolutely translucent; but yet if there be sufficient "volume" to unnecessarily impair the atmosphere, it becomes opaque smoke. Then, what is meant by impairing the atmosphere, in the first instance, and what is meant by doing so unnecessarily? Does not that go to the whole policy of the Bill, leaving it entirely to the Judges to determine whether it is so or not, and whether Parliament had that in view in passing the Statute whether wisely or not? Then, the Court is to decide according to the "means and condition" of people in life. Does that mean that a Duke may make more smoke than a Baron? I think it is a most extraordinary position to adopt. The clause relating to penalties says that the Court is to dismiss a complaint if it is satisfied that the person summoned has adopted all reasonable measures, regard being had to his means and condition in life, and has used due diligence and care to prevent as far as possible the emission of opaque smoke. But my great objection to the Bill is that it attacks the small offenders and lets the great offenders pass. No doubt the private dwelling houses are great sinners in this respect, but they are not nearly so great sinners as the manufactories. The title of the Bill and the preamble refer to "furnaces and fireplaces within the Metropolis," but there is not a word about furnaces in the body of the Bill. It is quite true that during the last 30 years Parliament has been legislating against smoke from manufactories, and I imagine the result of the Parliamentary efforts made has been very much to leave matters as they were when Parliament began legislating, and that it has been found impossible to offer any serious check to the practice of producing smoke. At all events, if that is not so it is very difficult to explain the blackened and dirty condition of our manufacturing towns. Unless legislation of this kind can be enforced as against manufactories, I do not see how there is any hope of its being carried out as against private houses. Public opinion would support the sending of Inspectors to factories, because there is a general feeling that we are bound to carry out the requirements of the Local Authorities in matters affecting the public health; but if you take to sending Inspectors to private houses it is probable that before an Inspector could go through two streets he would have his head broken. There does not appear to be the least chance that in the present state of public opinion such a law could be carried out. I believe it is the intention of the Home Office to allow the Bill to be read a second time, but I hope the House will consider very carefully before it allows these extraordinary provisions to pass into law.

LORD HERSCHELL: My Lords, I would venture to submit one or two considerations to the noble Lord who introduced this Bill. Everybody, of course, sympathises with the object in view, and everybody who has suffered from the fogs which have prevailed lately must feel a very special sympathy with it, indeed, under the circumstances. On the other hand never probably has a Bill been introduced into this House which so directly affects so many of Her Majesty's subjects, because this Bill will create an obligation upon every freeholder as soon as it passes. Unless, therefore, the householders sympathise with the object of the measure, it is calculated to arouse an enormous amount of opposition; and what I would submit for the consideration of the noble Lord is this: whether, seeing that it is a Bill which directly affects every householder, it would not be better to leave the initiation of such a measure to the other House in which those householders are directly represented rather than that such legislation should be initiated here. No doubt if in the other House where householders are directly represented any measure for dealing with this nuisance were carried and sent to your Lordships' House, it would receive most favourable consideration, and there would be every desire to pass it into law; but I would venture to ask the noble Lord to consider whether it is likely that any measure initiated here, and which has not obtained a strong backing from the householders of the country, would have a chance of passing in the other House? I would, therefore, suggest that he should allow a measure with this object to be brought forward in the other House where the people affected are directly represented, unless he can ascertain that it will receive a very large share of support from the general public.

LORD STRATHEDEN AND CAMPBELL: I regret exceedingly that the turn which the discussion has taken should impose upon me the necessity of answering when, as I have stated to the House, I am not very well qualified to address your Lordships. But I will just say a word—indeed, I am bound to do so—in reference to what took place in the Standing Committee. I avoided that topic purely because in this House I wish as far as possible to avoid all acrimonious discussions as regards the Standing Committees. In that regard I am wholly irreproachable, and if I allude to it at all I should do so in the tone of an accuser. The noble Earl who first spoke is utterly inaccurate in his statement of what took place, and he would, I think, have shown greater wisdom if he had avoided the topic altogether. In the first place, it was not last year at all. That will give your

Lordships a measure of the noble Earl's precision; it was the year before last.

THE EARL OF KIMBERLEY: So it was; the noble Lord is quite right.

LORD STRATHEDEN AND CAMPBELL: I appeared in obedience to the summons, and a late Member of your Lordships' House who is much lamented, Lord Carnarvon, requested me to allow the consideration of the Bill to stand over for another week, and as the tribunal was then entirely new I was not disposed to face at once that new organisation, my friends and supporters being absent also. Then the next week no summons to attend reached me, with the accustomed irregularity of those most extraordinary bodies which your Lordships have now had the wisdom to put an end to. In my absence—a proceeding which I think was most unjustifiable—the opponents of the Bill were allowed to discuss and mutilate it; to withdraw the proposition which formed its essence and its principle; and to abrogate entirely the Second Reading which your Lordships had repeatedly acceded to. The principle of the Bill has always been to operate against smoke being emitted from private houses, and the course pursued by the Standing Committee was to withdraw everything by which private houses would be affected. Then, let me go on to state the reason for the apparent delay on the Third Reading, the only occasion on which I could appear. I did my utmost to defend the remnant and wreck of the Bill, and I was present when this statement from some one who represented the Opposition to the measure was made, that "the Bill could only be endorsed by the Standing Committee if" (the expression was utterly ridiculous) "every thing would be eliminated which related to the smoke from private houses." The conduct of the Standing Committee, therefore, ruined the measure, and I have always thought that if I were called upon to take part in the re-arrangement of the Orders as to Standing Committees I could not do better than simply report to your Lordships what took place on that occasion as a final condemnation of those bodies. The Standing Committee literally took upon itself to repeal the Second Reading; and as the Standing Committee, who were empowered and instructed merely to amend the clauses of a Bill of which your Lordships had thought proper to pass the Second Reading two weeks before, took upon itself to eliminate its essence and its principle, I was no longer concerned in the fate of the Bill. I cannot but say again that I think the noble Earl would have been wise in avoiding that topic altogether. Then, what else fell from the noble Earl? He said that there are no mechanical inventions for consuming smoke in private houses. What does that establish? It only establishes the utter ignorance of the noble Earl upon the subject. He is, no doubt, well-versed in many topics, and is not bound to be conversant with the later inventions upon this subject, which has greatly occupied me. It is, therefore, no reproach for him to be unaware that mechanical inventions abound on the subject. At the different stages of these Bills during the last few years, I have enumerated before your Lordships no less than a dozen contrivances by which smoke might be restricted. The noble Marquess, able master as we know he is of gibes, witticisms, jocularities, and sarcasms, is, no doubt, competent to turn any definitions into ridicule; and it is no proof whatever that these definitions are ridiculous or imperfect that the noble Marquess should be able to draw a laugh at my expense. But he went on to speak about smoke in factories. Is he really unaware that for 20 years past we have had legislation on the subject? He alluded to the action of Parliament in this matter, as if he was unaware that Lord Palmerston in 1853 and 1856 introduced those Acts by which the smoke of factories may be restrained. It is quite true that the smoke from factories has not been restrained as it ought to have been. That shows merely that the law is not enforced. If the law had been enforced, and that had been the result, no doubt everybody would agree with the noble Marquess; but it is one of the many arguments which have been brought forward in favour of this measure which I bring before your Lordships, asking you to restrain the smoke from private houses—that to restrain the smoke from factories has been found impossible. Now I come to what was suggested by the noble and learned Lord who occupied the Woolsack for a short time in 1886.

What was his main remark? It was that a Bill of this sort is not likely to reach the Statute Book unless it were supported by a great wave of popular opinion. I perfectly agree with him, and I say this measure is supported by a strong tide of popular opinion. I will merely mention one fact to justify that statement: during the last five years not one London journal has opposed this proposition, but, on the contrary, in great variety they have favoured it. Let me put this point to the House: suppose this Bill, which is altogether Metropolitan and urban, had reference to some other town, say Bristol—that it was to restrain smoke being emitted from buildings within the limits of that town, and that all the local public journals supported the measure, would not your Lordships think it a matter for very grave consideration before you would throw out a Bill upon Second Reading under those circumstances? But those are exactly the circumstances which confront us here. You can only learn what is the state of local or of the Metropolitan opinion to which the noble Earl alluded, through the journals of the given city, and though I am far from saying that all the journals of the Metropolis have thought it worth their while to utter an opinion upon this measure, all those who have done so have given an opinion in its favour. The noble and learned Lord went on to tell us that we had better wait until a Bill comes up from the other House of Parliament. Will the noble and learned Lord give us any guarantee that such a measure is likely to come to us from that House?—

> "Rusticus expectat dum defluat amnis."

We have at the present moment a Bill in our possession, we have a Bill here to send down to the other House. I am perfectly aware that it is open to the Select Committee to amend it, or to the Standing Committee, and that it is open on Third Reading for the House to amend it; but I do entreat, as the opinion of your Lordships is not, I think, antagonistic to it, at this stage to avoid a course which would bring considerable obloquy upon your House, at the same time that it would prolong the fogs and add to the smoke nuisance which now afflict this Metropolis.

Lord Stratheden and Campbell

VISCOUNT MIDLETON: My Lords, I cannot be at all surprised that the question with which the Bill of the noble Lord deals, should have been brought by him before your Lordships; indeed, I had expected that at an earlier period of the Session than this some Member of the Government would have risen in his place to announce that Her Majesty's Administration intended to take some steps to deal with this most important subject. We are still passing—or rather I trust have passed—through a winter not only of exceptional severity but of exceptional gloom and darkness, the full effect of which upon the public health and upon trade, we are not, perhaps, yet able entirely to realise. Nobody who has given any attention to this subject can have failed to remark the gradual increase of fog which has been going on for many years past, not only in the Metropolis but in our most important centres of industry. Some very interesting experiments have been made during the present year by the Meteorological branch of the Board of Trade who have stations in London for making observations, in the East in Bunhill Row and in the West somewhere in the neighbourhood of Victoria Street. The result of their investigations has been, I understand, to prove that the greater part of the darkness from which we have suffered during the last four months has been caused not by smoke emanating from the large manufactories but by the smoke emanating from house-fires. That of course, as far as the factories are concerned, is as it should be, because there is no doubt that the larger manufactories ought to, and many of them do, consume the greater portion of their own coal smoke; but it is impossible at the rate at which London is increasing that the enormous volume of coal smoke poured forth into the air from domestic fires should not produce the most dangerous effects. Now I happen to have acquired on this subject some little experience because I had the honour for two years to sit on a Royal Commission presided over by Lord Aberdare (Lord Percy and Lord Egerton were also members of it), to inquire into the presence of noxious acids and gases emitted into the atmosphere, and as to the best mode of preventing their emission. We were stopped by the terms of the reference from going directly into the effect of coal smoke and how it might be prevented from escaping into the atmosphere; but incidentally a very large amount of evidence came before us on that point also. One thing was perfectly clear throughout, and that was that the increase of works or the increase of population added enormously to the amount of smoke emitted into the air, and that in consequence such smoke or gases, as the case might be, were carried much farther afield than they had been in previous years. We had evidence with regard to districts in Lancashire, places in which five or six years before the effects of acids, gases, or coal smoke had not been felt at all, but which now suffer terribly. We had distinct evidence that so much had the volume of smoke increased, and so much had the volume of gases increased at the same time, that, whereas the effects of smoke were perceptible previously only five, six, or seven miles from the centres of population whence they emanated, they are now carried in certain states of the wind 10, 11, or 12 miles. I find that the state of things as regards the Metropolis now stands on all fours with the evidence which was presented to us then. I may say that I am a constant traveller on the South Western Railway, and my own experience is that in coming up to town we now meet the fog four or five miles further from London than we did previously; and not only that, but I am in a position to state from a series of chemical analyses which have been entered upon by a neighbour of mine, residing 35 miles from London, that even at that distance and with a range of hills intervening between that district and the Metropolis you can, in certain states of the wind, trace coal smoke, acids, and gases distinctly from the mist which is scraped from the surface of a window. Not only so but every year it becomes more difficult to grow certain flowers and plants within any reasonable distance of the Metropolis. Taking Wimbledon, the centre of a district which I once had the honour to represent in another place 20 years ago, there were several plants and several kinds of flowers which there was no difficulty whatever in growing and bringing to perfection there, which now cannot be grown at all, or if they can be grown to some extent they are stunted in growth and deficient in colour. Those are palpable distinct facts; and now comes the question, if this is the state of things existing, what is the remedy? That, of course, is a much more difficult question to answer. But here, again, I was fortunate enough, 35 years ago, in company with a partner in one of the largest breweries established in the East End of London, to go over the premises, and he showed me at that time the furnace in actual work consuming the whole of its own smoke, and at the same time saving the firm considerable cost in fuel, long before legislation had interfered to compel them to adopt means for doing so. A sum of £2,000 a year was mentioned to me as the amount of the saving in the works, partly by the more perfect combustion afforded by the process adopted, and partly by the cheaper description of fuel which it was possible to use with the furnace which had been adopted. I asked one of the partners in that same concern a year ago whether he found the effect was still the same, and he said, as regards the process of consuming the smoke, decidedly so; but that, as regards the price of fuel, other people have found out how beneficial a process it is, and the consequence is that the demand for that particular kind of fuel has been to a considerable extent increased, and they are not able now to economise on that account as we were then; but there is still a substantial economy, in addition to the fact that they were now complying with the law, though they had carried out what the law now enjoins long before the law was passed. However, I do not mean to say for a moment that it is equally easy to apply to the domestic hearth a process which we can carry out with comparative ease and cheapness in a large factory; but this I do mean to say, that there are ways and means by which it is possible to diminish the amount of coal smoke poured into the air by an ordinary hearth, if not to prevent it altogether. I know there are ways and means by which this may be done without entailing any very serious expense. If this matter had been taken in hand 25 or 30 years ago, and some such obligatory measure as that now proposed by the noble Lord opposite had been passed prohibiting the construction of hearths in future in large centres of population and industry which would not consume their own smoke, the whole question would now be in a fair way of solution; but as it is, matters are now going on from bad to worse, for the nuisance is one which has enormously increased, and is increasing, and one which I believe, in the opinion of your Lordships' House, ought to be avoided. But, my Lords, I am not very sanguine as to the possibility of dealing with it by any Bill which may be introduced by a private Member. Still I am very glad indeed that the noble Lord opposite has made the attempt, and I do hope that Her Majesty's Government will be prepared to tell the House that even if they do not feel themselves to be in a position at the present moment to propose any legislation on this difficult question, they are willing to assent to the appointment of a Royal Commission which may, within a comparatively short period, make recommendations which will tend to check this growing evil. One thing did come out of the Commission to which I have already alluded, and that is that wherever legislation has been passed judiciously and in accordance with public opinion to stimulate better means of manufacture being employed, science has invariably responded to the call and a way has been found out of the difficulty, the existence of which had often been previously little anticipated. There is one special reason why I would press upon your Lordships the importance of legislation in this direction, and that is that it is the poorest class of the community who are principally affected by this terrible evil. The richer portion of the community have the opportunity of escape under the worst circumstances from the evil effects of coal smoke, and even where that is not the case they are not the persons to whom this particular evil comes home most closely. Many of the working classes are prevented from following their daily occupations when a dense fog comes on; many more of them have to carry on their work under circumstances which are not only difficult but absolutely dangerous to themselves; and many more, again, who have not the advantage of medical treatment and proper nourishment, suffer terribly from the after effects of being exposed for days and weeks together during such weather as we have had lately to a tainted atmosphere which undermines their health and prevents them altogether from earning their living. In appealing, therefore, for an early consideration of this subject, I am speaking not so much for those who are able to take care of themselves, but on behalf of those who have nobody but Parliament to look to—who, if Parliament does not take them under its wing, have no other quarter to look to for that protection which they so much need, and to which they are entitled.

*LORD DE RAMSEY: My Lords, I do not know that I should have troubled the House after the remarks of the noble Marquess, had it not been for an observation or two made by the noble Lord who has just spoken, in which he rather inferred that this matter has been lost sight of to some extent by the Departments whose duty it is to watch over the public health. But that is by no means the case. I would remind your Lordships that a Select Committee sat in 1887. There were only five witnesses called before that Committee, and there was no Report made by it; but since that time the matter has been considered again and again. Of course, there can be no doubt that, owing to the dense fogs which we have had this winter, public opinion has been very much exercised in this matter. The Government, as the noble Marquess has informed your Lordships, propose to refer the Bill now before us to a Select Committee, and although the noble Lord who has just spoken has talked about a Royal Commission, it is to be hoped that on consideration he will consider the proposal made by the noble Marquess more expedient than the appointment of a Royal Commission. The Government have had under their consideration the question of the administration of the existing Acts, and their proposals on this head will be known as soon as the Public Health Acts Amendment Bill which has been read a first time is printed. There are various defects in this Bill which the noble Lord has moved. I cannot conceive that it is at all likely that any Government would allow these inquisitorial powers in regard to private dwellings which he has rather suggested, to pass, but these are all matters which, if the House approves of the course proposed, will be dealt with by the Committee. I hope the noble Lord who spoke last will by no means think this most important subject has escaped attention, or that he has any monopoly in the wish for measures to be passed for the benefit of those whose interests he has advocated.

THE LORD CHANCELLOR: I should like to call the attention of the noble Lord to the substance of what he is proposing, with the view of suggesting to him, if he has any plan in his mind by which the object in which we are all interested can be carried out, that he should give the Select Committee an opportunity of knowing what it is they are to deliberate upon. I cannot help thinking that the Bill is merely a skeleton measure as it stands. If it only involved provisions in reference to fog and smoke I believe he would have the unanimous consent of everybody, but he purports to do something new by legislation. I must say that I do appeal to your Lordships, as an act of common humanity to Her Majesty's Judges, not to pass a Bill—a document—of this sort into law. I do not know what the noble Lord means, and I listened with great attention to his reply, to see if he would throw any light upon what is the real difficulty in my mind. The language of the Bill is very general. I want to know what is the meaning in this connection of the words "necessary" or "unnecessary?" Necessity is a relative term. Necessary in respect to what? Is it necessary in respect to whether a man has a large or a small dinner to cook? If it is a large one, it may require more fire, and therefore more smoke will be produced. If it means a minimum of opaque smoke, to use the language which he has used himself in the Bill in regard to it, is it with reference to some scientific possibility of reducing it to a minimum? Is that what the noble Lord means? I do not know in the least. There is no guide whatever given by the noble Lord on the face of his Bill. I do not want to go into a scientific discussion as to what is "necessary" or "unnecessary" to impair the atmosphere. No one, I suppose, could say what is the standard of necessity. What is it as to which a Judge is to direct a jury or himself upon the question whether or not there has been an "unnecessary impairing of the atmosphere?" The impairing of the atmosphere is in itself a relative term. I suppose no atmosphere is absolutely pure. I will not discuss scientifically what gases the atmosphere contains, but, I would ask the noble Lord, is this "impairing" to be more than chemists would consider to be the normal proportion of the constituent element in the atmosphere, or, if a larger proportion than some chemists would fix, how much should it be? The whole of this is left at large in the Bill—the mode in which this is to be ascertained is left entirely at large. But assume that we have got over that initial difficulty, I confess I do not know what the noble Lord means by the London County Council making byelaws for requiring any fireplace or furnace intended to be used in any building, to be constructed in future, "to be so constructed as to consume, burn, or otherwise prevent as far as possible, all smoke arising therefrom." There, again, is another term which requires exposition. I gather from what the noble Lord said that he thinks invention has so far proceeded at present that there are means by which it is quite possible to make fireplaces consume their own smoke; but if so, that is not what he enacts—it is only "as far as possible." And there, again, what guide is there to anybody? If it means as far as possible in a literal sense—that is, as far as a skilled chemist by his own processes is able to consume it—what reasonable prospect is there of that being ever attained in ordinary cases? What I object to is a skeleton Bill propounding questions of abstruse chemistry, which are left by it to be solved as they may be, leaving words which are so ambiguous and of application so uncertain that really no definite line or guide is to be found by anybody for the administration of the Act. The reason I have risen to make these few remarks was that I thought it advisable to suggest that the noble Lord, if he has any plan in his mind, might think it right to withdraw his Bill for the present, so that he may have the opportunity of putting into it such machinery as would be appropriate; in which case the Select Committee might be able to take evidence and consider whether the plan he proposes is one which is capable of being put into operation. But at present, if this Bill is referred to any Committee, I should like to know how they would begin to try to find out what the meaning of the noble Lord is, and whether they should begin by calling chemists, or witnesses of any other description, to point out the legal machinery which he desires to put into operation.

LORD STRATHEDEN AND CAMPBELL: My Lords, I have no right to again address the House, but I would ask permission to say a few words. I cannot answer the technical objections which have been put by the noble and learned Lord on the Woolsack, but at the next stage of going into Committee I shall be quite prepared to do so. Perhaps, he will permit me to remind him that all he has said to-night might have been said on the four previous occasions when he assented to the measure. I may also be allowed to say, with regard to the remarks which have fallen from the noble Lord who has previously spoken, that the Bill does not provide for inquisitorial or domiciliary visits. There is no such power proposed to be given. If your Lordships will now read the Bill a second time, I will, before it goes into Committee, try to the best of my poor endeavour to meet the objections of the noble and learned Lord on the Woolsack.

On Question agreed to.

Bill read 2ª accordingly.

LORD HERSCHELL: I understand that the proposal is to send the Bill to a Select Committee, but I would suggest that there should be a general reference of the matter to the Committee to which the Bill may be referred—not merely referring this Bill.

THE MARQUESS OF SALISBURY: I think the proposal of the noble Lord is that we should have a general reference to the Select Committee of the whole subject—that it be referred to them for consideration.

Lord Halsbury

FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

QUESTION—OBSERVATIONS.

*LORD SUDELEY, in rising—

"To ask Her Majesty's Government how it is that since the 9th February, when they stated, 'that the return ordered to be printed on the 5th August on Admiral Colomb's flashing signals, had been delayed owing to a letter of Admiral Colomb's not having been received before the 12th October, but was in the hands of the printers and would at once be distributed,' other letters have been written included in the return, one by the Treasury on the 13th February and one by the Admiralty on the 21st February, which traverse the whole question, and necessarily caused further delay of three weeks in the issue of the papers,"

said: My Lords, since I gave notice of this question I find that the Return to which it relates has been distributed; it will, therefore, be necessary for me to somewhat alter the question, and I would ask how it is that certain letters have been included in this Return notwithstanding the answer I received on the 9th February? This question, although it may seem a somewhat simple one, is, I apprehend, a serious matter, because it involves to a great extent the privileges of your Lordships' House. You will remember that on the 5th August last a Return was moved for and at the time, owing to certain causes to be alluded to, a letter which was expected from Admiral Colomb was asked to be included in the Return. Perhaps I may explain that the reason of that was simply this: that although the discussion on the question took place in May it was the 26th June before Lord Elphinstone stated in this House that the Admiralty proposed to offer Admiral Colomb £2,000. Unfortunately, there was a delay at the Admiralty, and that offer was not made until the 29th July. It was, therefore, mutually agreed between us that the Return moved for on the 5th August should include that letter. When the House met at the beginning of this Session, I made particular inquiries, and I was assured it would be issued at once. On the 9th February I asked the noble Lord, Lord Elphinstone, as representative of the Admiralty, whether he could tell me how soon it would be issued. He then informed me there had been some little difficulty owing to Admiral

Colomb's letter not having been received at the Admiralty until the 12th October (but as of course there had been four months' interval that was no excuse), and he went on to say that the Papers should be issued forthwith. Now, a very serious thing has happened. I found out about a fortnight afterwards that this statement of my noble Friend was hardly the case. I do not wish to use unpleasant language, and I am sure my noble Friend had not the slightest idea that when he gave your Lordships that reason for the delay in making this Return, it was a statement which could hardly be said to be a true statement. What actually happened was this: I found that subsequent to that answer—four days afterwards—a letter was written by the Treasury traversing the whole question, and putting an entirely new aspect upon the whole matter, and not only was that done, but a further letter was written on the 21st February—a fortnight afterwards—from the Admiralty. Therefore the real answer would have been that the Return was being kept back in order that certain further letters should be delivered, and that, therefore, there would be further delay. That answer of Lord Ephinstone's was given me three weeks ago, and the Return has only been issued to-day. But, my Lords, is there not here a question of the privileges of your Lordships' House? I understand that when a Return is moved for in this House, in order to be printed, it is stated definitely up to what date those letters or those papers should go. It is not only unusual and unprecedented, but it is absolutely wrong, that other letters of a far later date should be included. Many of your Lordships have been in this House a great deal longer than I have. So far as I remember, the proceedings in the other House, it certainly would never have been allowed—that seven months should have been permitted to elapse before such a simple Return as this should have been distributed to the House. This question of privilege is, I think, a somewhat erious matter, because it is quite evident that, however simple this particular case may be, if your Lordships pass it over on this occasion, how are you to be certain that other Returns which your Lordships may order to be printed will not be kept back for further impotant terms to be added to it? But, apart from the question of privilege, there is a personal aspect of the matter as regards myself which I should like to mention. When I moved for this Return I did so at the instigation of several Gentlemen in the other House, who explained that they were anxious to bring forward the question respecting the treatment which Admiral Colomb has received, and that if I would move for this Return that Motion in the other House should be made directly the House met this Session. When the House met there was no Return. My noble Friend Lord Elphinstone gave a certain answer which turned out to be most erroneous, and here we are, now close to Easter, and the Return is only just issued; so that practically the whole matter is put off until Easter. I would also say this—that I think the course taken by the Admiralty is somewhat uncourteous. It is now nearly two years since a Deputation of Members of this and the other House waited upon Lord George Hamilton. We went thoroughly into the question, and we were told to move, in July, 1889, that the Admiralty would at once deal with this question, which, I may say, had been delayed over and over again. But last Session, in May, 1890, finding that nothing had been done, the question was brought forward in your Lordships' House. His Royal Highness the Duke of Edinburgh and every one of the Admirals who held commands in the Fleet, or nearly all, stated their view very strongly that it was a matter which ought at once to be dealt with, and that practically it was unfair to the Navy not to bring the matter to a settlement. Since that date the Treasury have offered the paltry sum of £2,000. I will not go now into the merits of the questioon, but what I wish to point out to your Lordships is this: that although I have endeavoured to meet the Admiralty in every possible way, I have been met by every possible effort to avoid the question being thoroughly dealt with. The whole matter has been treated in so paltry a manner, although it is one which in the interests of the Navy ought to have been dealt with in a large way, that it is very unfortunate it has not been so dealt with. There has been delay after delay, and now the question is being dealt with in a manner which is utterly without precedent. I am sorry the noble Lord (Lord Elphinstone) is unable to be in the House to-night, but as he has informed me that another noble Lord will answer the question, he will not think it discourteous of me that I have not further postponed it.

THE EARL OF LIMERICK: My Lords, I regret very much that the noble Lord (Lord Elphinstone) who I had hoped until this morning would be able to be present to-night to answer the question of the noble Lord, has been unable to leave his house, having been unwell for several days. I think, under the circumstances, that possibly the noble Lord, knowing that anybody else to whom the question might be put must be very imperfectly aware of the facts, would have done better in putting it not to have brought a charge of incorrectness as he has done against Lord Elphinstone, in his absence, and also to have made a rather vehement attack upon the Admiralty. All I am able to say now, not anticipating from the notice of the noble Lord's question that he intended to go into this matter, is that on the 1st December Admiral Colomb addressed a letter to the Admiralty to be forwarded to the Treasury. That letter was forwarded on the 5th December. On the 14th February the Treasury's reply was received, and forwarded to Admiral Colomb, that the Papers were complete, and were on the point of being circulated. There is no doubt that those letters have been included, in addition, in the Return which is now on your Lordships' Table. The noble Lord says it was a great irregularity to present those letters in addition to those which were moved for on the 1st July; but he will remember that he himself expressed a hope that the Return would, if necessary, be delayed for the purpose of including Admiral Colomb's reply. Well, Admiral Colomb's reply to the letter of the 29th July was not written until the 11th October last. The noble Lord complains of delay on the part of the Admiralty, but it appears to me there was a very considerable delay on Admiral Colomb's own part in not answering the letter of the 29th July until the 11th October; and, therefore, I do not think it can be said that all the delay has been on one side. All that I can say is that the Papers are now before your Lordships' House, and they include all the correspondence which has taken place up to the present date. It was no doubt, I imagine, considered that as the noble Lord had in one instance asked that the Return should be delayed for the purpose of including a letter of Admiral Colomb's, which was not received for more than two months after the date of the letter to which it was an answer, it would be desirable to make some further delay in order that the Return should be as complete as possible. I regret that it should have fallen to me, in the place of my noble Friend, to answer this question. I had not anticipated the statement which the noble Lord was going to make, and I have not been prepared with any official information regarding it. I am only sorry he has not been answered, on account of ill-health, by my noble Friend himself, who I am quite sure will, at the earliest opportunity, answer the statement the noble Lord has made—that on the 9th February he made a statement to this House which was incorrect.

THE EARL OF KIMBERLEY: My Lords, I will say nothing as to Lord Elphinstone, except that I am very sorry he has not been able to be present; but with regard to the Return itself, it is certainly an inconvenient practice that after a Return has been moved for, its presentation to the House should not have been made for some months in order that further letters should be presented with it. It seems to me that it would have been far better if the Return had been presented at an earlier period and then the two other letters could have been presented afterwards whenever it was thought desirable. I do not in the least bring any accusation against the Admiralty in a matter which I am not acquainted with, but I thought it right to say this in reference to the statement that a Return has been delayed for the purpose of introducing a further correspondence, and I think that is not a desirable course.

*LORD SUDELEY: I hope your Lordships will allow me to explain one matter. The noble Lord stated just now inadvertently, no doubt, that I have been discourteous to Lord Elphinstone and himself in not giving notice of the statement I have made, and in not postponing the question; but I think he will not say so when I remind him of the facts. I put down this question last Friday, but I put it off owing to the fact that Lord Elphinstone was ill. I went to see Lord Elphinstone yesterday, and told him exactly how the matter stood, and he promised to write fully on the subject to Lord George Hamilton, so that no question might arise as to what I was going to bring forward. I told him that I was perfectly prepared to put the matter off as long as he desired, but he did not desire it, and I have since got a message from him: "Have written to Limerick to arrange reply." I can only make that answer to the noble Lord's statement.

House adjourned at twenty minutes before Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 2nd March, 1891.

QUESTIONS.

SENTRY DUTY AT METROPOLITAN PUBLIC BUILDINGS.

Viscount WOLMER (Hants, Petersfield): I beg to ask the Secretary of State for War whether he can state for the information of the House what was the average number of nights a week in bed, during the months of May and June, 1890, for soldiers of the Brigade of Foot Guards stationed in London (exclusive of those at the Tower) and who were on the roster of their battalions for sentry duty; and how many soldiers of the Brigade of Foot Guards, who were stationed in London during the year 1890, were invalided out of the Army on account of pulmonary disease?

*The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): During May and June, 1890, privates of the Foot Guards stationed in London (exclusive of those at the Tower) averaged 5·8 nights a week in bed. At this time one battalion was at Pirbright, so that sentry duty fell entirely on three battalions. I may be allowed to explain that the military expression "nights in bed" does not mean so many nights a week, but that the men sleeps in barracks for that number consecutively before being out for one night on sentry duty. The figures given by the General commanding for May and June are thus—4·94 and 4·87 respectively. Since the months named by the noble Lord, the number of sentries has, as I have already stated, been reduced, and the proportion of nights in bed has, of course, been correspondingly increased. Twenty-four soldiers of the Foot Guards stationed in London were invalided during 1890 for pulmonary disease.

ADULTERATED MANURES AND FEEDING STUFFS.

Sir EDWARD BIRKBECK (Norfolk, E.): I beg to ask the President of the Board of Agriculture whether his attention has been drawn to the resolution passed at the Central Chamber of Agriculture, on 10th December last, in which it is stated that legislation to prevent the sale of adulterated manures and feeding stuffs is urgently needed; that the extension of the principle and the improvement of the administration of the Sale of Food and Drugs Act, or legislation on similar lines, appear to afford a convenient method of effecting the desired reform; and that the Board of Agriculture be requested to take steps to protect the British farmer in this matter; and whether he will introduce a Bill dealing with the matter during the present Session, or appoint a Select Committee to inquire into the subject?

The PRESIDENT of the BOARD of AGRICULTURE (Mr. Chaplin, Lincolnshire, Sleaford): Yes, Sir; my attention has been directed to the resolution passed by the Central Chamber of Agriculture on the 10th of December last. I concur in the opinion that legislation is desirable, and I am engaged in preparing a Bill on this subject at present. The hon. Member is aware of the business which the Government have before them already, but I hope it may be possible for me to introduce it during the Session.

MARKET RIGHTS AND TOLLS.

Sir EDWARD BIRKBECK: I beg to ask the President of the Board of Agriculture whether his attention has been called to the recommendations, Nos. 23 and 26 of the Royal Commission on Market Rights and Tolls, in which they recommend—

> "That markets which are now required to be provided with machines for weighing cattle should be furnished with sufficient and suitable accommodation for the same";

and—

> "That statistics of the market prices of meat, and in particular of the prices of cattle at per stone live weight, should be collected";

and whether he will take the necessary steps to give effect to the same?

Mr. CHAPLIN: My attention has been called to the matters referred to in the question of my hon. Friend. With regard to the first part of the question, I have no doubt that the provision of adequate accommodation for weighing live cattle at markets is a great advantage to farmers and others when they make use of it, although I am bound to say, from all the information which reaches me, that in the majority of cases they appear to have been somewhat slow to avail themselves of it. I am, however, making careful inquiry into the subject, with a view to giving effect to the recommendations of the Royal Commission. Upon the matters contained in the second part of the question, namely, the market price of meat, and the prices of cattle by live weight, I am now in communication with the Board of Trade with the same object.

THE EASTER REVIEW.

Mr. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary to the Treasury if, having regard to the fact that Civil servants of the higher divisions who also serve Her Majesty in the Volunteer Force, are allowed to be absent with their several corps on the Saturday before Easter, without trenching on their annual leave, the same privilege cannot be extended to copyists who have only 12 days' leave, bearing in mind that otherwise their regiments will be wholly deprived of their services at Easter, while the Saturday office work is practically limited to three hours?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I think the hon. Member is under a misapprehension if he supposes that there is a general rule authorising Civil servants who are Volunteers to be absent with their several corps on the Saturday before Easter without trenching on their annual leave. The Treasury has promulgated no such rule, and there is no provision of the kind in the Orders in Council relating to the Civil Service. Nor has the Treasury received any representations on the subject, and I am, therefore, unable to take action in the sense indicated by the hon. Member.

THE INCOME TAX.

Mr. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Chancellor of the Exchequer whether the Income Tax collectors have received special orders this year to press forward its collection; and whether the statement made by some of them that the latest time to be allowed will be the middle of March is correct?

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): No, Sir; no such orders have been issued. But I may remind the hon. Member that the Easter holidays fall within the current financial year, and that the collectors have very properly appreciated the desirability, in the general interest, of allowing for the shorter time at their disposal in getting in a tax which is payable on the 1st of January, and ought, in any case, to be paid within the financial year. Any statement which has been made that the latest time for payment is the middle of March is incorrect, and has certainly not been made on the responsibility of the Board of Inland Revenue.

In reply to a further question by Mr. Dixon-Hartland,

Mr. GOSCHEN said: The tax must be collected within the financial year, and my hon. Friend should remember that it is really payable on the 1st of January. Every leniency is shown, provided the tax is collected within the financial year.

Mr. BARTLEY (Islington, N.): I beg to ask the Chancellor of the Exchequer whether he will announce through the Surveyors of Income Tax to owners of labourers' cottages his decision to exempt from Income Tax the amounts received from cottages built by the Oldcastle Board of Guardians, on account of the various annual charges exceeding the rents received; and whether he will instruct the local collectors and assessors of Income Tax to exempt all owners of cottages from Income Tax on account of cottages where the owners can show, as they did at Oldcastle, that the various annual outgoings exceed the amount received as rent?

MR. GOSCHEN: No general instructions, such as are suggested, can be legally issued. The case of the Oldcastle Board of Guardians is a peculiar one, because the interest of the money borrowed from a Public Department equalled the total of the rents, and, therefore, there was practically nothing to tax.

INDEX TO MEMBERS OF PARLIAMENT.

MR. DIXON-HARTLAND: I beg to ask the Under Secretary of State for the Home Department when the Index to Members of Parliament, ordered to be prepared and printed some years ago, but still undelivered, is likely to be completed?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Paper in question is in the hands of the printers, and it will not be long before it is distributed.

SAVINGS BANK DEPARTMENT.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General what was the average day's work in the Savings Bank Department during the months of January, 1890, and 1891 for the male sorters, and also for boy messengers (aged 13 to 17); whether some of the male sorters have been kept at work for 13, 14, and 15 hours out of the 24; whether boy messengers have been kept at work for 16 hours out of the 24; and whether any boy messenger averaged 12¾ hours work a day during the month of January?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The average day's work of a male sorter in the Savings Bank in one particular month, namely, January, 1890, was 11 hours 40 minutes. In the corresponding month of 1891 the average was 12 hours 36 minutes. The average day's work for boy messengers in January, 1890, was 11 hours 18 minutes. In the corresponding month of 1891 it was 11 hours 20 minutes. In the early part of January in each year some of the male sorters have volunteered to work between 12 and 15 hours, but the practice is objectionable. I am not aware of any boy messengers having been kept at work for 16 hours. Some of the elder boys have averaged 12¾ hours work a day during the month of January. I entirely deprecate the continuance of such a state of public business, and, although no complaints have been made by the staff of excessive hours, I have, in order to stop it, directed steps to be taken to add about 50 officers to the minor staff.

THE SEWERS IN WESTMINSTER.

MR. BURDETT-COUTTS (Westminster): I beg to ask the President of the Local Government Board whether he is aware that the basements of many valuable properties along the line of certain of the principal sewers in Westminster have for the past five or six years been frequently flooded with sewage, owing to the insufficient capacity of such sewers for the increasing requirements; whether the alterations to the system of drainage of the Houses of Parliament, which cost some £30,000 in 1887, were occasioned by the imperfect local sewerage system; and whether he will call upon the Local Authority of Westminster to inform him of the steps taken to protect the district from a recurrence of the evil?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My attention had not been drawn to the matter to which the question of my hon. Friend refers prior to the notice which was given by him. I have communicated with the Vestry of St. Margaret and St. John, Westminster, and I am informed that the basements of many valuable properties along the line of certain of the principal streets in Westminster have for the past six years been frequently flooded with sewage, owing to the insufficient capacity of the sewers for the increased requirements. As regards the alterations in the system of drainage of the Houses of Parliament, I learn from the Chief Commissioner of Her Majesty's Works that these alterations were not occasioned by the imperfect local sewerage system, but were undertaken in order to improve the mode of connecting the main drains of the building with the Metropolitan main low level sewer, and to enable them to be freed from sewage at all times, and that the cost of that portion of the work did not exceed £12,000. The Vestry of St. Margaret and St. John, Westminster, attribute the flooding to the fact that when heavy rains occur at or near the time of high water in the Thames, the main lines of the sewers become so fully charged as to be unable to afford an outlet for the surface water from the local sewers, and they state that as the water accumulates from the higher land it flows back from the main line sewers through the local service into the areas and basements of many of the houses and buildings in the low-lying parts of the parish. The Vestry, it appears, were for a long time in communication with the Metropolitan Board of Works, and subsequently have been in communication with the London County Council with a view to their providing additional means of discharging storm water. The Vestry, it appears, were informed by the Chief Engineer to the County Council in September last that a scheme for the prevention of flooding was then being prepared. The matter is not one in which the Local Government Board have any jurisdiction.

ARMY RECRUITS.

Mr. LEES KNOWLES (Salford, W.): I beg to ask the Secretary of State for War whether, having regard to the existing difficulty in obtaining recruits, he will take into favourable consideretion a proposal to form a battalion essentially composed of Army candidates who, having failed in scoring sufficient marks for commissions, can pass the medical examination; and whether he will give, by Return or otherwise, information as to the number of such candidates who have entered the ranks, and with what results, especially with regard to promotion?

*Mr. E. STANHOPE: The proposal to form a corps of gentlemen has been very carefully considered on previous occasions, but for various reasons the Military Authorities have not thought themselves able to recommend its adoption. It is not one that I have myself personally considered, and I will look into it. There are no records at the War Office of the after career of candidates for commissions who have failed to obtain them.

INVESTMENT OF TRUST FUNDS.

Sir GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Chancellor of the Exchequer whether he can now state what action Her Majesty's Government propose to take in relation to the Report of the Departmental Committee appointed to consider the question of the Investment of Trust Funds in Colonial Inscribed Stocks?

Mr. GOSCHEN: No, Sir; I am not able to made a statement on the subject at present.

THOROUGHBRED STALLIONS.

Mr. STEPHENS (Middlesex, Hornsey): I beg to ask the President of the Board of Agriculture whether thoroughbred stallions receiving the Queen's Prizes are examined so that their soundness can be relied upon by breeders; and whether the examination for soundness in wind is made by lunging; and, if not, by what other means the soundness in wind of horses receiving a Queen's Prize is ascertained?

*Mr. CHAPLIN: All the stallions, before receiving the Queen's premiums, are strictly examined by three veterinary surgeons, and they are disqualified if they are found to be affected with either of the following diseases, which the commissions consider are of a hereditary nature. The diseases are roaring, including whistling, ringbone, unsound feet, navicular disease, spavin, and cataract. The rule observed by the veterinary surgeons in examining the horses for their wind is this—that in all cases, where possible, they are lunged. If, however, for any reason lunging is found to be undesirable, other means are adopted; but this is only in very exceptional cases.

STREET ACCIDENTS IN LONDON.

Mr. HULSE (Salisbury): I beg to ask the Secretary of State for the Home Department whether he would obtain from the Coroners of the London District the number of inquests held over persons who have met their death by street accidents in the Metropolis during the years 1889 and 1890?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): If my hon. Friend's object is to ascertain the number of persons killed by all descriptions of vehicles in the streets, he will find the figures for 1889 in the Report of the Commissioner of Police for that year, page 39. The figures for 1890 will be given in the same Report for that year. It seems, therefore, unnecessary to obtain a Coroner's Return. If I have misunderstood the object of my hon. Friend, perhaps he will specify more exactly what information he requires, and I will then consider whether it can be given.

PARISH ASSESSMENTS.

MR. DIXON-HARTLAND: I beg to ask the President of the Local Government Board if he is aware that a great deal of unpleasantness is being caused by the action of the London County Council, who, not satisfied with the parish assessments even when appealed against, are insisting upon re-raising the assessments; and whether they have the power to thus revise what has already been properly investigated and settled?

*MR. RITCHIE: I have not received any communication with reference to the action of the London County Council in the matter referred to. By the Valuation of Property (Metropolis) Act, 1869, any body of persons authorised by law to levy rates or to require contributions payable out of rates in the Metropolis may appeal to the Court of Quarter Sessions if they feel aggrieved by reason of the total gross value or rateable value of any parish being too high or too low, or if there be no approved valuation list for the parish. I assume that the appeals referred to are made by the London County Council under this provision, and it appears to me that the valuation lists cannot properly be considered as settled unless there has been an opportunity of appealing to the Quarter Sessions and such appeals have been decided.

*MR. DIXON-HARTLAND: The question I ask has no reference to the gross and total assessment, but I wish to know whether the separate assessments in parishes have not been attempted to be raised?

*MR. RITCHIE: I understand that the appeal affects certain properties which had not been sufficiently rated. That being so, the appeal applies also to the total assessment.

DOCKYARD EXPENDITURE.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the First Lord of the Admiralty what is the probable amount which will be available out of the unexpended balance of the Navy Estimates of 1890-91 for expenditure on ships building in the dockyards in the year 1891-2; and what is the amount which will be repayable out of the Estimates for 1891-2 for stores and armour plates bought and paid for in the year 1890-91, in accordance with Section 3 of the Naval Defence Act?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): At present it is not expected that there will be any unexpended balance on the Navy Estimates for 1890-91 as regards shipbuilding in the dockyards under the Naval Defence Act, but there is an estimated balance on armaments of £162,300. There is nothing repayable out of the Estimates 1891-92 for advances made for stores and armour-plates bought and paid for in 1890-91. The estimated expenditure under the Naval Defence Act for the coming year is:— For hulls and machinery of ships building by contract, £3,140,733; armaments, £280,000.

SALIH PASHA.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether the Armenian inhabitants of Zeitoun have forwarded to Sir William White a Petition in which they set forth a series of grievances against Salih Pasha, the Governor of the Province of Marash; whether this Salih Pasha is the same Salih Pasha who was implicated in the notorious massacres of Christians at Damascus; whether it is the fact, as stated in the Petition, that Salih Pasha has arrested and thrown into prison a number of peaceable Armenian travellers, and has practically left the Province at the mercy of bands of Circassian and other brigands who have received *carte blanche* to do as they please; and whether any inquiry has been or will be made into the truth or falsehood of the allegations contained in this Petition?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Sir William White has not reported his having received a Petition from the inhabitants of Zeitoun, but he has instructions to take such steps as he may deem advisable to ascertain the facts with regard to the disturbances at Zeitoun, respecting which the reports are very contradictory. We have no information as to the antecedents of Salih Pasha.

SOLDIERS ON THE MARCH.

MR. COGHILL (Newcastle-under-Lyme): I beg to ask the Secretary of State for War whether he will take steps to secure that soldiers on the march shall have some breakfast given them before starting in the morning, and that they shall not be dependent on the generosity of innkeepers for this meal for which at present the innkeepers receive no remuneration?

*MR. E. STANHOPE: When a soldier is in barracks the ration he receives from the public has to be supplemented at his own expense in order that he should be provided with breakfast and tea. When on the march he is allowed a hot meal, which is more than equivalent to the ration in barracks; and, consequently, he has less difficulty in providing the supplementary meals. The soldiers do not depend on the generosity of the innkeeper for their breakfast, that meal being provided, as in barracks, under regimental arrangements. Billets are, however, much scattered—often over two or three miles—and it would be impossible for an officer to see that all the men had morning meals and marched at the proper time. All that can be done is to give general directions.

VOLUNTEER POSITION ARTILLERY.

MR. COGHILL: I beg to ask the Secretary of State for War whether he will consider the desirability in garrison towns, such as Liverpool and Manchester, of allowing the use of the riding school of cavalry barracks for the purpose of giving equitation lessons to the non-commissioned officers and drivers of Volunteer Position Artillery stationed in such towns; and whether he is aware that the present arrangements entail a cost of from £50 to £60 a year on Volunteer Artillery Corps?

*MR. E. STANHOPE: If definite applications on the subject should be made by officers commanding batteries of Volunteer Artillery, endeavours will be made to meet their wishes as far as possible. I have no information as to the cost entailed on Volunteer Artillery Corps by the present arrangements.

TORPEDO GUNBOATS.

MR. SAMUEL SMITH (Flintshire): I beg to ask the First Lord of the Admiralty whether any of the seven torpedo gunboats of the *Salamander* class have yet succeeded in doing their trial speed of 21 knots; and whether the 18 torpedo gunboats, described as sister ships of the *Salamander*, and also stated to have a speed of 21 knots, are expected to realise that speed?

*LORD G. HAMILTON: None of these vessels have developed on trial more than 3,500 to 4,000-horse power, as against 4,500-horse power specified. I have fully explained the reasons for this falling off in a Memorandum on the Estimates for 1891-92. The speeds attained have been from 19½ to 20 knots, as against 21 knots estimated under maximum forced draught trial. Of the 18 vessels mentioned two have boilers of the same size as, although differing in details from, those in the *Salamander*. The remaining five, which are already begun, have larger boilers. With the larger boilers a higher speed may, I hope, be obtained. Eleven other vessels have yet to be ordered.

BRITISH HONDURAS.

MR. BRODIE HOARE (Hampstead): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table of the House Baron Siccama's Report on the sanitary works in progress in Belize, British Honduras, and the Correspondence between the Secretary of State and the Governor on the subject of the recent outbreak of yellow fever in that town?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Papers on the subject will be laid in which will be found a Report by Baron Siccama.

THE SOUDAN.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government recognise the right of sovereignty of Egypt over the Soudan; and, if so, whether he will define the frontiers of the territory over which this sovereignty is claimed by Egypt; and whether it is intended to increase the Egyptian Army, in view of the contemplated military occupation by Egypt of that part of the Soudan called Tokar?

*SIR J. FERGUSSON: The term Soudan is applied to extensive regions in Africa, all of which certainly do not belong to Egypt. Her Majesty's Government have not assumed the duty of defining the limits of Egyptian rights in this territory. The second question must be answered in the negative.

MR. LABOUCHERE: Is it in the recollection of the right hon. Gentleman that the following telegram was sent on January 6, 1884:—

> "Baring to Granville.—The Khedive says that he accepted policy of the gradual abandonment of the whole Soudan, which he believes, on mature reflection, to be best for the interests of the country."

I wish to know whether the policy of the abandonment of the Soudan is compatible with any effective assertion of sovereignty such as is being made now?

*SIR J. FERGUSSON: In the opinion of Her Majesty's Government the withdrawal of the Egyptian troops from the Soudan did not constitute an abandonment of the sovereignty of that region.

MR. LABOUCHERE: I wish to know whether Her Majesty's Government now recognise the sovereignty of Egypt over the whole Soudan, Khartoum included?

*SIR J. FERGUSSON: I am not prepared to make a general statement on the subject. If the hon. Member desires an answer I must ask him to place a question on the Paper. I may remind the hon. Member that in 1883 and 1884 the Government bound themselves to protect the Egyptian Government in Egypt and also in the ports of the Red Sea. The Government do not consider that they have departed from that limitation in assenting to the occupation of Tokar.

SIR W. LAWSON (Cumberland, Cockermouth): Are we, then, to understand that the Government do recognise the sovereignty of Egypt over that part of the Soudan?

*SIR J. FERGUSSON: I must ask for notice of further questions.

ATTENDANCE OF CHILDREN AT BOARD SCHOOLS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether Mr. Montagu Williams is correctly reported in the *Standard* of the 10th instant as having stated, on the hearing of a School Board summons, that,

> "In his opinion, it was for the parents to say whether a child should go on attending school after having passed the Fourth Standard";

and, if so, on what legal authority the opinion is based?

*MR. MATTHEWS: I am informed by the learned Magistrate that he cannot remember his exact words, but the substance of what he said was that, in a case where a parent proves that the presence of a child is necessary at home on account of poverty, sickness, or other trouble, and where that child has passed the Fourth Standard, he thought it was rather for the parent to say whether he might retain the child at home. This opinion, the Magistrate informs me, is based on the decision in the case of "The School Board of London *v.* Duggan," which was tried in the High Court of Justice in 1884.

MR. MUNDELLA (Sheffield, Brightside): Arising out of that answer may I ask who is the proper authority to reprimand, or suspend, or dismiss a Stipendiary Magistrate who refuses absolutely to administer the law and encourages the parents to disobey the legal authorities?

*MR. MATTHEWS: The question of the right hon. Gentleman is based on an assertion which the learned Magistrate entirely repudiates.

NEWFOUNDLAND FISHERIES.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs when the Papers relating to the negotiations with France for the settlement of the Newfoundland Fisheries Question will be presented to the House; and when it is intended to present the Papers already promised relating to the attempts that were made, with the consent of Her Majesty's Government, by Mr. Bond, representing the Colony of Newfoundland, to effect commercial and fishery arrangements with the United States?

SIR J. FERGUSSON: It is hoped that both sets of Papers will be ready for presentation in about a week or 10 days.

BRAZIL AND UNITED STATES TREATY.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Under Secretary of State for Foreign Affairs whether he is prepared to make a statement as to the position of proposed Treaty between the Republics of Brazil and the United States of America; and whether the 1st of April next is the day on which it is proposed the Treaty shall come into force?

SIR J. FERGUSSON: Her Majesty's Ministers have been directed to telegraph the date at which it will come into force, and to state whether ratification or legislation is necessary, the general effect of the Treaty is that United States imports to Brazil will be placed on the free list which hitherto have amounted to about 18½ per cent. of the entire imports of those articles; and United States imports will pay a reduced rate of 25 per cent. which hitherto have been under 5 per cent. of similar imports. In return, Brazilian sugar, molasses, coffee, and hides will be admitted free into the United States.

FRANCHISE QUALIFICATION FOR SCHOOL BOARD ELECTIONS.

MR. MARK STEWART (Kirkcudbright): I beg to ask the Lord Advocate what franchise qualification is necessary to enable an elector to record his vote at a School Board election?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The qualification necessary to entitle anyone to vote at a School Board election is that his name should appear on the latest valuation roll as owner or occupier of lands or heritages of not less than £4 annual value. In counties, as the valuation is now made up, under 52 & 53 Vic. c. 50, service franchise occupiers of premises of the prescribed value are entered as inhabitant occupiers; and, in my opinion, they are therefore entitled to vote at those School Board elections for which the county valuation rolls furnish the lists of voters.

SWAZILAND.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for the Colonies whether, in view of the grant in aid of £5,000 for Swaziland, he will state the amount of revenue collected for the period for which the aid of £5,000 is asked; from what sources is the revenue obtained; whether it is derived from the taxes, &c. on white persons imposed by Section 6 of the Proclamation of 18th December, 1889, or whether it includes taxation from other sources; whether he is aware that Article 9 of the Convention provides that such deficiency has to be certified according to rules as to accounting and audit to be approved by the High Commissioner and the President of the Transvaal; whether these rules have been made and approved, and whether the deficiency has been certified accordingly; and whether the Transvaal Government is contributing a like sum of £5,000?

BARON H. DE WORMS: The amount of revenue expected to be collected by the Joint Government during the period in question is estimated at £1,347. This revenue is derived from the sources indicated in the third part of the hon. Member's question, and does not include taxation from other sources. As regards the 4th paragraph, I am, of course, aware of the provisions of the Swaziland Convention; but the rules of Account and Audit have not yet been received from South Africa; nor could the amount of the deficit be certified under them until the year is closed on the 31st instant. The sum of £5,000 is an estimate, and no more of it will be applied to the deficiency of the current year than is requisite to make good a moiety of the certified deficit. The South African Republic has undertaken to supply a moiety of the deficit equal to that supplied by Her Majesty's Government.

LONDON FOGS.

Viscount WOLMER: I beg to ask the First Lord of the Treasury whether, considering the serious injury to health, the disturbance of business, and the hardships inflicted on many of the poorest wage earners of the Metropolis by the curtailment of their working hours, caused by the increasing prevalence of fogs, Her Majesty's Government will consider the advisability of appointing a Royal Commission to examine and report how far the evil is one which can be mitigated by legislation?

Sir HENRY TYLER (Great Yarmouth): I beg to ask the First Lord of the Treasury whether he will cause inquiry to be made as to the various descriptions of coal used in the Metropolis, and their relative capabilities for converting mist and white fog into the yellow and dark conditions of the atmosphere known as London fog; and also to the possibility of inducing persons residing in London to use coals comparatively smokeless by means of legislation, having the effect of placing taxes or duties on those coals which are most deleterious to the atmosphere?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): Her Majesty's Government are, in common with other inhabitants of the Metropolis, extremely sensible of the serious injury, disturbance, and hardships inflicted by the increasing prevalence of fog. They are, however, sceptical as to the value of a Royal Commission for the investigation of the subject. It is notorious that the evil mainly arises from the smoke emitted by ordinary domestic fires, and the problem to be solved is whether it is possible by legislation to prohibit and prevent the production of smoke in this way. A Bill was introduced into the House of Lords in 1887 with this object, and was referred after a Second Reading to a Select Committee, which took evidence which went to show that smoke could be prevented by the use of non-bituminous coal, by the substitution of coke or gas for coal for heating purposes, and possibly by the adoption of an improved grate and great care in lighting and feeding fires with common coal. The Bill was not proceeded with beyond this stage in 1887. Another Bill with the same object has been introduced, and stands for Second Reading in the House of Lords this evening. If it should come down to the House, the noble Lord will have an opportunity of considering whether it is possible by penalty on occupiers of houses and tenements to secure the object he has in view.

VICE CHANCELLORS' COURTS AT OXFORD AND CAMBRIDGE.

Mr. SUMMERS: I beg to ask the First Lord of the Treasury whether the Government will consider the advisability of introducing a Bill for the purpose of abolishing the Vice Chancellors' Courts at the Universities of Oxford and Cambridge, and of making members of these Universities and inhabitants of the City of Oxford and Borough of Cambridge exclusively amenable to, and triable by, the ordinary law and the ordinary tribunals of the land?

*Mr. W. H. SMITH: A meeting has, I understand, been arranged to take place between the Vice Chancellor of the University of Cambridge and the Mayor, as representing the Town Council of that place; and both parties have agreed to a Conference on the whole question of University authority over townsmen. As regards Oxford, proceedings are governed by Act of Parliament (6 Geo. IV., c. 97, sect. 3), and all cases are heard by the Vice Chancellor in open Court, another county magistrate in almost every case being present. Evidence is taken on oath unless the defendant pleads guilty, and she is entitled to be represented by a solicitor. Under the above circumstances, Her Majesty's Government do not consider that legislation is at present necessary.

ELECTORS REGISTRATION (ACCELERATION) BILL.

Mr. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he his prepared, with regard to this Bill, to accept the Amendments down on the Paper, striking out of it all interference with the Parliamentary register?

*Mr. RITCHIE: I fear that we can hardly expect to make any progress with the Bill this evening. If we could make progress with it I should be glad, as the Bill is urgent. After all, it simply deals with a question of machinery. So far, I have put down on the Paper all the Amendments to which the Government are prepared to agree.

*MR. COBB: Does the right hon. Gentleman know that the object we have in view is merely to assist him in making a simple change without making any alteration in the Parliamentary register?

*MR. RITCHIE: I do not know what the hon. Member means by simple change, but I know that the Amendments on the Paper raise a vast number of questions of great importance, dealing not only with registration but also with amendments of the Electoral Laws. They are questions which the Government could not undertake to consider in connection with this Bill.

*MR. COBB: Is the right hon. Gentleman aware that all the Amendments that were put down by myself in regard to the Parliamentary register were simply put down because the Bill dealt not only with the County Council register, but with the Parliamentary register?

*MR. RITCHIE: The law as it stands at present says distinctly that the revision of the County Council register, and of the Parliamentary register must take place at the same time; there could be no separation in regard to them.

*SIR J. GOLDSMID (St. Pancras, S.): Is it not the fact that so far as London is concerned the unanimous feeling is that the Bill should apply to the Parliamentary register? Does the hon. Member for the Rugby Division claim to represent the majority of the electors of the country?

*MR. J. LOWTHER (Kent, Isle of Thanet): May I ask if I understood my right hon. Friend to express an opinion that Amendments tending to extend the scope of the measure should be discouraged?

*MR. RITCHIE: I must have been misunderstood. This is a Bill simply to alter the machinery of registration, and the Government could not undertake to consider Amendments which would in any way affect the franchise, whether Parliamentary or County Council.

MR. H. GARDNER (Essex, Saffron Walden): Will the right hon. Gentleman be prepared to consider mere alterations in the dates mentioned in his Bill?

*MR. RITCHIE: Such an Amendment would mean a very material alteration in the law, and that is an alteration which I cannot entertain. The dates in the Bill have been settled after most careful inquiry, and I do not think any change in them would be likely to advance the object which hon. Gentlemen opposite have in view.

THE ROYAL COMMISSION ON LABOUR.

MR. COBB: I beg to ask the right hon. Gentleman the First Lord of the Treasury, in connection with the appointment of members of the Royal Commission on Labour, if he will be good enough to take into consideration whether anyone shall be appointed on that Commission who has some special knowledge of questions affecting the agricultural labourers, and who shall be someone in whom those labourers shall have complete confidence?

*MR. W. H. SMITH: There is a question on the Paper for to-morrow on this subject, and I will then give an answer.

THE ARMY ESTIMATES.

SIR G. CAMPBELL (Kirkcaldy, &c.): I wish to ask the First Lord of the Treasury when he proposes to go on with the Army Estimates?

*MR. W. H. SMITH: If the hon. Gentleman can inform me when the Navy Estimates will be completed, I will give him an answer.

SIR G. CAMPBELL: Will the Army Estimates be taken after Navy Estimates?

*MR. W. H. SMITH: Yes.

BELFAST PRISON.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what has been the result of the conference between the Irish Government and the Irish Prisons Board, concerning the unanimous protest of the Corporation of Belfast against the projected alterations of Her Majesty's Prison at Belfast, upon the several grounds that they would create an eyesore, destroy the frontage line, and deteriorate the value of property in the district?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am not able to answer the question, and must ask the hon. Member to defer it.

MR. SEXTON: I will defer it until Thursday.

TELEGRAPH STATION AT KNOCK.

MR. DE COBAIN (Belfast, E.): I beg to ask the Postmaster General whether he has seen the Report of Sir Andrew Reed, the Inspector General of Royal Irish Constabulary, strongly recommending the establishment of a telegraph station at Knock, County Down, in order to afford greater protection to the person and property of those living in that locality; is he aware that outrages perpetrated at this place were frequently not communicated to the police till the following day, thus affording facilities for the escape of criminals, owing to the want of telegraphic communication; and would he take early steps to remedy a condition of things so seriously affecting the interests of a community which is rapidly growing, and which embraces a population at present of close upon 4,000 persons?

*MR. RAIKES: The Report of Sir Andrew Reed, which I understand is addressed to the Irish Government, has not been referred to me; and I have no knowledge of the circumstances attending the outrages mentioned by the hon. Member. In May of last year I made an offer to establish a telegraph office at Knock under a guarantee of £22 a year. This does not appear to me to be a sum which it should be difficult to raise if any importance is attached by the residents to such communication.

THE FOUR COURTS, DUBLIN.

MR. DE COBAIN: I had intended to ask the Attorney General for Ireland whether he is aware that complaints have been made by suitors and the public generally in regard to the delay on the part of the officials of the different Courts connected with the Four Courts, Dublin, in making up the orders and decrees given by the different Judges, almost a month, and sometimes even two months, elapsing in getting out the order; whether the different Law Societies have repeatedly complained of such delays; and whether, in view of the fact that the hours of attendance at the Four Courts are from 11.30 to 3.30, whereas in London the Judges sit from 10.30 to 4.30, some steps will be taken at an early date to ensure the greater despatch of business at these Courts, in the interest of the professional gentlemen practising there and of the public at large? At the request of my right hon. Friend I beg to postpone the question.

BELFAST STREET TRAMWAYS.

MR. DE COBAIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Belfast Street Tramway Company had, on the construction of their lines through the City of Belfast, infringed the provisions of the Act of Parliament which provides for a space of nine feet six inches being left at either side of the tramway lines, and that, notwithstanding this infringement proved a serious inconvenience to vehicular and other traffic at Donegall Street and other important thoroughfares, the Belfast Corporation, which had charge of the streets, took no steps to enforce compliance by this company with the provisions of the Act; and would he call upon the Local Authority to have the law in this particular observed?

MR. A. J. BALFOUR: The matter referred to is not one under the control of the Executive Government. I understand, however, that the Belfast Tramway Acts confer on the Corporation certain discretionary powers, and that in any case where there has been a departure from the nine feet six inches space mentioned, the Corporation have sanctioned it.

IRISH RELIEF WORKS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the relief works, to which he recently referred as instituted for the benefit of the inhabitants of the parish of Ardara, County Donegal, are seven miles distant from that parish; whether he is aware that an engineer named Gahan, who is employed in the Government relief works at Garrick, visited the parish of Ardara about a fortnight ago with a view to the making of the roads by the Government in the neighbourhood for the purpose of relief, but that hitherto no step in this direction has been taken; and whether, having regard to the fact that the fulfilment of his promise made at Ardara, that the Government would cut a road through the hill of Glengesh, would give employment to between 200 and 300 people in the neighbourhood of Ardara, and to the destitute condition of the people of this neighbourhood, any measures are to be taken for their immediate sustenance and relief?

MR. A. J. BALFOUR: A relief road has already been ordered to be opened in the Electoral Divisions of Inishkeel and Glengesh. It is expected that it will be commenced to-day.

BELFAST POLICE STATION.

MR. SEXTON: I beg to ask the Secretary to the Treasury whether the entire site for the new Central Police Station at Belfast has now been taken over, and when the work of building will begin?

MR. JACKSON: I am informed that the site for the new Central Police Station at Belfast consists of two plots or divisions, on one of which the barrack is to be built, and on the other the stables and offices in connection with them. The division required for the barrack has been taken over, and the necessary steps taken for proceeding with the erection of the building, which, it is expected, will be commenced in a few days. The second division of the site, that required for the stables, has not yet been taken possession of, but arrangements have been made for doing so to admit of that building being proceeded with in sufficient time to secure its being completed at the same time as the barrack.

SELECTION (STANDING COMMITTEES)

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had added Sir Charles Pearson to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture.

Ordered, That the Report do lie upon the Table.

PARISHES (UNITED, DIVIDED, &c.)

Address for—

"Return of Parishes divided and Districts assigned to Churches by the Ecclesiastical Commissioners for England under the provisions of the Church Building Acts and 'The Parish of Manchester Division Act, 1850;' of all Districts and new Parishes constituted by the same Commissioners under the New Parishes Acts; and of all Districts or Parishes assigned or constituted by the same Commissioners under 'The St. Leonards and St. Mary Magdalen Church Districts Act, 1868,' or any other local Act, from the 31st day of October 1880 to the 31st day of October 1890 (in continuation of Parliamentary Paper, No. 413, of Session 1881)."—(*Mr. Talbot.*)

RAILWAY SERVANTS (HOURS OF LABOUR) COMMITTEE.

Ordered, That the Committee do consist of Twenty-six Members.

Ordered, That Sir Albert Rollit and Mr. Pickard be added to the Committee.—(*Mr. Akers-Douglas.*)

SUPPLY.

Resolved, That this House will immediately resolve itself into the Committee of Supply.—(*Mr. Jackson.*)

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SEA COMMERCE, BRITISH COLONIES AND DEPENDENCIES.

*(4.20.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): I rise for the purpose of calling attention to the growth of Colonial Sea Commerce and increase of British Naval responsibilities caused thereby; and to move—

"That the growth of the Sea Commerce of the British Colonies and Dependencies and of the war fleets of Foreign Powers render it desirable that the annual Navy Estimates presented to this House should in future be accompanied by a Return showing the total number of war ships of each class in commission, in reserve, and building; the annual aggregate revenue; the annual Naval expenditure; the aggregate tonnage of the mercantile marine; and the approximate annual aggregate value of the Sea-borne Commerce of the British Empire and of each Foreign Power possessing war ships: and a further Return showing the annual Naval expenditure on Sea-going Forces, and the approximate annual value, exclusive of interchange with the United Kingdom, of the Sea-borne Commerce of British North America, British South Africa, British Australasia, and British India respectively."

We are asked, Sir, that you shall leave

the Chair, in order to discuss the Navy Estimates for the coming year—Estimates which are intended to provide for the security of the sea interests of the whole of the Empire up to the end of March, 1892. What may happen before March, 1892, it is impossible to predict; but if war should by any chance break out before that date, we must stand or fall by the provision made by the Estimates now before the House, and the responsibility can only rest with the House of Commons. I wish, in the first place, to invite the attention of the House to the broad fact that if ever and whenever we are involved in war, and our naval sufficiency is put to the test, we shall find that our condition has entirely changed from what it was when we last fought upon the sea for our maritime supremacy. Then the population in these Islands was not dependent for food on the sea. Now that population is absolutely and entirely so dependent. Then British commerce, and, therefore, the area of danger of the commerce, was practically confined to European waters and the North Atlantic. Our trade with India was practically small, and its protection was confided to the care of the armed fleet belonging to the East India Company. The area of our maritime commerce now includes every ocean and every sea in the world, and our naval operations must include action not only in European waters and the North Western Atlantic, but over every sea and ocean. What we had to protect then was wholly and solely the commerce of the United Kingdom; but nowadays the commerce of the United Kingdom only forms a portion of British commerce which we have to protect. When the last gun was fired at Waterloo we had a Navy Estimate of £22,000,000, and we had only then the germs of a great Empire. The Navy Estimate now amounts to £14,000,000, and we have a gigantic oceanic Empire to protect. I will not trace the gradual growth of our Empire since that date, but I will mention one or two facts that have occurred during the reign of Her Majesty. The Revenue of the United Kingdom was £56,000,000 in 1837, and the annual sea commerce amounted to £155,000,000. The Revenue of the United Kingdom has now reached £89,000,000, and the annual sea commerce £744,000,000. The Revenue of our colonies and dependencies in 1837 was £23,000,000, it is now £105,000,000; and the sea commerce of our colonies and dependencies now amounts to £460,000,000. Consequently, although the Revenue of the United Kingdom has only increased by one and a half times, the Revenue of the outlying Empire has increased fivefold; and while the sea trade of the Mother Country which the Navy has to protect has in the same period increased only five times, the sea trade of the outlying Empire, which the Navy has also to protect, has increased 20 times. It is quite apparent from these figures that we are within a measurable distance of the time when the sea trade and commerce of the outlying Empire will equal, if not surpass, that of the United Kingdom. It is interesting to compare the commerce of the Federal States of America when attacked by the *Alabama* with the present commerce of our Empire beyond the sea. The Federal States had then a sea trade of about £153,000,000. The aggregate trade of our three great groups of self-governing colonies—British North America, British South Africa, and British Australia, now amounts to £198,000,000. Those colonies have therefore at this moment a sea trade far greater than the total sea trade of the Federal States of America at the outbreak of the Civil War, and at the time of the operations of the *Alabama.* If we add the trade of our dependencies, I find that it amounts to £260,000,000, not far short of double the sea trade of the Federal States at the time of the commencement of the operations of the *Alabama*—so that the sea trade of our colonies proper exceeds the sea trade attacked by the *Alabama* by about £45,000,000, while that of our dependencies exceeds it by about £110,000,000. I may add that the sea commerce of Australia is larger at this moment than that of the Federal States at that time. The commerce of the outlying Empire divides itself properly into two parts. There is the interchange with the United Kingdom and the sea trade, which is carried on entirely independent of the United Kingdom; and what I desire to draw the attention of the House to is the growth of that independent sea commerce, for the protection of which this House has to provide, and which neither goes from or comes to these islands. The value of the imports and exports of our outlying Empire is about £460,000,000, and of this amount only £187,000,000 is interchanged with the United Kingdom; therefore, the independent trade of the outlying Empire amounts to about £273,000,000. It amounts to 11 times the amount of the independent trade of the outlying Empire in 1837, and is one and three-quarters more than the total trade of the United Kingdom at the time of the commencement of Her Majesty's reign. That shows the increase of the naval responsibility incurred, not by the United Kingdom only, but by the communities which compose our colonies and dependencies beyond the seas. Let me take that independent trade, and compare it with the sea-borne trade of great Foreign Powers which possess large war Navies. I find that it is about four times as much as the sea-borne trade of all Russia; about equal to that of Germany; about three-fourths that of France; two and a half times that of Italy, and nearly half that of the United States. Every year the sea commerce of the outlying Empire, independent of the interchange with the United Kingdom, is increasing. It is not only overtaking the sea-borne commerce of the Mother Country, but in a short time it may eclipse all the sea-borne commerce of the great European countries. The net expenditure to be incurred by the United Kingdom on the Navy Estimates is £14,215,100, and the net naval expenditure by the outlying Empire, with its enormous trade, is only £381,546. It is interesting to consider for a moment the way in which this £381,546 is made up. India contributes for troopships and harbours £170,576, but for the sea-going force which has to protect her trade, independent and otherwise, she contributes only £84,200. Therefore, the total contributed by India for the defence of a trade greater than that of many first-class European Powers is £254,776. For the first time Australia appears as chief contributor to the expenses of the Fleet. It appears by the Estimates that Australia contributes £126,000; Jamaica £520 for a fresh water supply to the town of Port Royal; and Ascension £250 for pier dues. While last year Ceylon contributed £4,500 to the naval expenses, it disappears this year from the Estimates. The House will observe that out of every £1 spent for the naval protection of the Empire in 1891-92 the outlying Empire will spend about 6¼d., and the United Kingdom spend the balance, 19s. 5¾d. It is to be remembered that the larger part of the Revenue of the Empire is now raised outside these Islands, and that it is an increasing Revenue, while the Revenue of these Islands is almost stagnant. Looking at the outlying Empire by itself, and comparing it with the Revenues of the great first-class maritime Powers maintaining fleets for the protection of a smaller commerce, I find that the total Revenue of the outlying Empire, being about £105,000,000, is about 1⅛ times more than that of Russia, 2½ times that of Germany, more than three-quarters that of France, about 1½ times that of Italy, and 1½ times that of the United States. An interesting Return has been compiled by a distinguished member of the Foreign Office and is re-published in *Whitaker* this year, giving the average Annual Revenue and the average Naval and Military Expenditure of the Great Powers from 1882 to 1887. Taking on the one hand the Revenue and the independent sea commerce of the outlying Empire separately, and basing a comparison on those Returns, the following are the interesting results: If we take the percentage of Naval Expenditure to Revenue, for example, I find that while the Naval Expenditure of Russia is 5 per cent. of her total Revenue, of Germany 4 per cent., France 8 per cent., Italy 4 per cent., and the United States 3 per cent., the Naval Expenditure of the outlying Empire compared with Revenue is practically *nil*. If we take the percentage of Naval Expenditure of these nations and compare it with the Naval Expenditure of the outlying Empire in the ratio of Naval Expenditure to seaborne commerce it comes to this:—While the Naval Expenditure of Russia on every £1 value of her seaborne commerce is 1s. 9d., Germany 1d., and France 5d., and so on, that of the outlying Empire cannot be expressed in the appreciable fraction of a farthing. If we take the Naval Expenditure in proportion to the national shipping entered and cleared at national ports we find that Russia spends £5 10s. per ton, France £1 per ton, and the United States about 10s.; while our outlying Empire does not spend on protection the appreciable portion of a farthing on her tonnage. If we take the shipping owned it will be found that Russia is spending on her Fleet £11 3s. per ton of shipping owned; France, £10 13s.; and the outlying Empire 4s. 5d. I hope I have said enough to justify the importance of having Returns dealing with the matters specified in my Motion accompanying the Naval Estimates, so that the House may be placed in a proper position to discuss them from the only point of view from which they can be discussed—that is to say, the relation of their adequacy to the work to be done by the Fleet. It now only remains for me to deal with that part of the Motion which refers to ships in commission, in reserve, and building under the British and all other flags of Maritime Powers. The Navy, as we all know, is for the protection of maritime interests, and these interests, naturally, group themselves under two heads—the defence of seaboards and the defence of sea commerce. The relative national importance of the one or the other depends entirely upon several circumstances. For example, let us suppose Australia an independent State, and let us compare her with Russia, and see in what relation of importance a seaboard defence and sea commerce defence would apply to Australia and apply to Russia. Russia has an extensive seaboard, and so has Australia; but the sea commerce of Russia is not much more than half that of Australia. The sea commerce of Russia represents about 10s. a head for every Russian, while the sea commerce of Australia represents about £30 a head for every Australian—so that every Australian has 60 times the interest in the sea that the Russian has. Therefore, for purposes of pure defence, Russia could confine her naval preparations to harbour defence. But an independent Australia could do no such thing. An independent Australia, without a sea-going fleet, could be shut up in a few weeks like a telescope by the Fleet of China, Chili, or Japan, to say nothing of any European Fleet. The naval policy of a nation, therefore, can be sufficiently surmised from the number and class of her ships of war taken in relation to her real maritime necessities, and the necessities of her population as they appear by their enforced reliance upon the sea. If a nation with a small sea commerce developes a fleet of sea-keeping cruisers it is fair to assume, indeed, I think it must be assumed, that such development indicates a policy of attack rather than a policy of defence. And thus to measure our naval necessities, we are absolutely bound to consider carefully the naval programmes and the fleets of foreign nations—not in an abstract way, but in relation to their maritime interests, and the distribution of the commerce and the sea property they have to protect. Therefore, I think it is exceedingly important that the information for which I ask in my Motion should be attached to and accompany the Annual Navy Estimate, so that the House and the country responsible for the security of this gigantic Empire, and the safety of this gigantic sea business, will be able to judge whether the preparations are adequate, and whether the Government are taking the steps necessary to secure these interests. Another reason why it is important we should have information of the number of war ships in commission, in reserve, and building at home, and the number belonging to foreign nations is the modern practice—a very good one so far as this House is concerned—of having programmes of shipbuilding spread over a series of years. This practice commenced with what is known as the Northbrook programme which brought about an increase in the fleet that was to be completed by a specified time. Whilst that programme was being carried out there was a development of British trade and a development of foreign navies, ships were built conceivably for purposes of attack; and taking our present programme which is to expire in 1894, seeing that foreign nations know what it is and are aware that we restrict ourselves to it until 1894—and seeing that they are now increasing their fleets, especially in the direction of sea-keeping cruisers—I cannot see the justification of our present voluntarily restricted naval position. But I will reserve any remarks

I may have to make on that subject to a future occasion. I trust the House will forgive me for having intervened, and having put, in this short way, certain broad facts before it to prove my contention—that certain specific information should be placed before us prior to our going into Committee on Navy Estimates. I think that information should accompany the Estimates, so that on broad grounds we may be able to see whether we are doing our duty—as we did it in the past, and whether we are facing our responsibilities and maintaining a force adequate to the naval wants of our Empire. It is also desirable that the House should be in a position to watch these developments, and that the communities under our flag should have it brought home to them year by year that they are not sharing the burdens with us—that they are piling up responsibilities on the United Kingdom, and that while they have increasing resources and revenue they are not fairly contributing or sufficiently helping the Old Country. It is a trite saying that the Navy is the first and chief line of defence of the Kingdom. Let us remember that we differ from all other States of the world in the fact that the internal communications of our Empire are sea communications, and that the sea being the commonage of the world, we cannot exist on sufferance, and must be prepared to maintain our water communications in the face of the world. Let us remember that it is the interest of every part of the Empire to assist in keeping the waterways free, and that it can only be done by a complete arrangement with all parts of the Empire and an adequate force established, not by abstract comparison with this or that Power, but with a due regard to all the facts and circumstances of the position as defined by geography and necessity. In the past we have gone wrong through making small abstract comparisons instead of calmly reviewing and working out the whole great problem, and deciding upon a comprehensive estimate of the amount and distribution of commerce to be protected, which is the only business-like way of arriving at the force necessary to prevent a collapse, not merely of the United Kingdom but of the whole Empire. I beg to move the Amendment standing in my name.

Sir J. Colomb

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "The growth of the sea commerce of the British Colonies and Dependencies and of the war fleets of Foreign Powers render it desirable that the annual Navy Estimates presented to this House should in future be accompanied by a Return showing the total number of war ships of each class in commission, in reserve, and building; the annual aggregate revenue; the annual naval expenditure; the aggregate tonnage of the mercantile marine; and the approximate annual aggregate value of the seaborne commerce of the British Empire and of each Foreign Power possessing war ships, and a further Return showing the annual naval expenditure on sea-going Forces, and the approximate annual value, exclusive of interchange with the United Kingdom, of the seaborne commerce of British North America, British South Africa, British Australasia, and British India respectively,"—(*Sir John Colomb*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(4.53.) SIR W. HARCOURT (Derby): We have heard the hon. and gallant Member state with ability and research most interesting facts with reference to the magnitude of the commerce of Great Britain. Well, that is a subject which we all contemplate with satisfaction and with pride, but the hon. and gallant Member's speech, from its tone, I consider one of the notes of alarm which hon. and gallant Gentlemen are constantly in the habit of sounding, and which are intended to induce people of this country to believe that there is some great danger threatening our commerce, and that the already enormous expenditure of the country upon naval and military defence is inadequate. I should think that that is not a view which is very satisfactory to Her Majesty's Government, because within the last two years Her Majesty's Government have in two measures, one called the Imperial Defence Act, and the other called the Naval Defence Act, provided for an expenditure of £24,000,000, and in that they have not merely made a present provision, but have really mortgaged the resources of the future. On that policy I will say nothing now as there will be other opportunities more appropriate for discussing it; but what was the object of the speech of the hon. and gallant Gentleman? He has pointed out that there is this gigantic commerce in which England and her dependencies are interested. We all admit the magnitude of that commerce. It is to be counted by hundreds of millions—but the whole object of the hon. and gallant Member's speech and Motion was to represent to the country and the Government that the growth of that commerce indicated that the provisions which have been made for its defence are altogether inadequate, and that they ought to be increased. I confess that having regard to the knowledge and ability of the hon. and gallant Gentleman, I was extremely surprised that he did not refer to the position of that commerce in the event of a war. From the character of the attendance in the House this afternoon, there does not seem to be very much alarm in Parliament, and I hope there is not in the country. I do not see here a great collection of naval officers or, what is still more important, of the great merchants of England, who are trembling on account of the danger which threatens their commerce. The hon. and gallant Member has dealt not merely with the commerce of England but also with that of India and the colonies, and his great object seemed to be that India and the colonies should contribute much more largely than they do now to the defence of their commerce. If the hon. Member had been addressing the representatives of the various provinces of Australia, who are now gathered together for the purpose of uniting Australia, and had suggested a great scheme of taxation for raising an Australian Navy, I could have better seen the pertinence of his speech—or if he had been addressing the Government of India and saying, "You must contribute your millions towards the protection of this trade," that would have been intelligible, but he has not attempted to face the question of what will be the position of the commerce of England, or of any other country in a state of war. It is upon that point that I principally wish to make a remark. The hon. Member seems to imagine that in the event of war the commerce of this country would be at once threatened by a belligerent Power, and that we should then lose our exports and imports. That is a fair issue to take. I have seen alarmists and panic-mongers going about the country telling people who do not consider or understand the question—"Unless you have an overwhelming Navy which governs every sea, England will be ruined, because no corn will come here and your manufactures will stop because no cotton will be received, and you will have no export of your textile fabrics or hardware manufactures." Surely the hon. and gallant Gentleman is sufficiently well informed to be aware that not one single ton of these imports or exports can be threatened by war. Surely the hon. Member is not going back to the defence of commerce of the last century or the beginning of the present century. He is surely aware that by the Declaration of Paris the whole trade of a belligerent is safe. I am not speaking of the carrying trade, with which I will deal presently. Not a hundredweight less corn would come into England if we were at war, and not a yard less cotton would be exported; but the imports and exports would be carried under neutral flags. Goods could not be prevented from coming into England. So far from the country being starved by reason of no corn coming into Liverpool, it would be brought in in perfect security under a neutral flag and in as great quantities as at present, and so with cotton; and so with goods going out of the country. Goods could go out in absolute security, and, therefore, as regards what I may call general trade, the Declaration of Paris makes it secure—and do not let there be any mistake about that. The hon. and gallant Member may reply, "But you will lose the great carrying trade of England." No doubt that would be a great loss. Let us measure the loss. It is not the loss of hundreds of millions of which the hon. Member speaks, the goods will remain and come and go as before, but you will lose no doubt the carrying trade of Great Britain. This is the greatest carrying trade in the world, and greater now than at any former period. I do not depreciate the amount of that loss, but let us look at it as men of business and measure it. Of course you may say the world, apart from Great Britain, has not the ships to carry on that trade. But that will happen which has happened before—there will be a transfer of ships from the British to neutral flags. During periods of war in old days, when belligerent Powers were most predominant in the world, they might have disputed this transfer as a legitimate transaction. But as time has passed the power of belligerents to give the law to the world has diminished, and the power of neutrals has increased; and there would be no difficulty in finding ships which would carry the commerce in absolute security. I do not believe for a moment that any multiplication of expenditure on the Navy could create such a cruising fleet as would enable belligerent commerce to be carried on in belligerent bottoms. I heard the hon. Member for Southampton (Mr. Giles) speak upon this subject last year, and he, speaking as a practical man, said it was impossible that this could be done. Take the case the hon. Member has referred to by way of illustration. In the American Civil War the Northern States had a great naval superiority over the Southern States, and were able to maintain an effective blockade of hundreds of miles of coast. Yet the presence of one single Southern cruiser was enough to prevent the North from carrying on trade in belligerent bottoms. With these there must always be some risk, which is not shared by neutral bottoms, and this will effect a difference in the insurance sufficient to give the trade to the neutral flag. These things are perfectly well known to mercantile men and persons connected with shipping, and no amount of a cruising fleet you can get—unless you suppose you are going to have as in old days the assertion of the right to seize enemies goods in neutral vessels—will enable us to carry on trade in our vessels, we being belligerents. This is impossible under the operation of the modern law of nations since the Declaration of Paris. It is 75 years since England engaged in a maritime war in which this question could arise, for it did not arise in the Russian War. Therefore, in the whole of the dangers to which the hon. and gallant Member has directed his attention, he has omitted the main point in the consideration of the case. It is said that no food supplies would come to England in time of war unless our fleet practically covered the waters of the globe; but since the decision in the controversy between Great Britain and the United States, 100 years ago, on the

Sir W. Harcourt

subject of contraband of war—a controversy that is not likely to be renewed —since the decision of 1794 by which England paid compensation to America for treating food supplies to France as contraband of war—it is clear that no interference with food supplies conveyed in neutral bottoms can take place. To use the language of Lord Stowell, trade will fall into the lap of the neutral. There will be the loss of the carrying trade, no doubt a very considerable loss, but this is one of the recognisances which I confess I do not regard altogether with disfavour, one of the heavy recognisances under which a country is bound to keep the peace. The country need not be alarmed by stories of people being starved and factories closed in time of war. Truly this was the case of the Southern States in the American Civil War; but the Southern States were blockaded, and how can England be blockaded? This cannot be without an absolute defeat of our fighting fleet, such as the hon. and gallant Member does not contemplate. A country all seaboard cannot be blockaded. But if he considers that by any amount of exertion we can keep such a force in all quarters of the globe as will enable us to carry on our commerce in time of war, then I think the experience of all practical men will be against him. Stories are told of what will happen to the Suez Canal in time of war; but I do not believe that belligerent vessels will pass through the Canal, while neutral vessels can do so as in time of peace. There is no reason why they should not. A great fabric of panic has been reared, but let us apply to it the test of experience and the business-like way of regarding these transactions, and this is what I desire to do. My objections are not to the Return for which the hon. and gallant Gentleman has moved — they are rather addressed to the arguments that the Return is intended to reinforce. I do not wish it to be supposed that I seek to diminish the naval supremacy of Great Britain, and that I do not desire a fleet which would give perfect security to the great possessions of the Empire abroad. I desire Great Britain to have, and I believe that she always will have, a Navy competent to defend her great interests. But I cannot understand the argument of the hon. and gallant Gentleman addressed to the inadequacy of our fighting fleet.

SIR J. COLOMB: I never entered into the question of the adequacy or inadequacy of our Fleet. I stated the facts, and drew no such deduction.

SIR W. HARCOURT: I gave the hon. and gallant Gentleman credit for making his speech with some object, and that object it was perfectly easy to perceive. I thought it was intended to put pressure upon Her Majesty's Government in view of future Naval Estimates. I desire to see the Fleet of England maintain that supremacy it has always held. I desire to have a Fleet that shall give security to the country at home and all our great possessions, and this is the desire of the nation. But I protest against attempts to alarm the country with the idea that its foreign commerce will be stopped and its industry at home and abroad will be paralysed if its foreign trade cannot be carried on in belligerent vessels. All the money expended on the hypothesis that it is possible, in any circumstances, to keep alive a force which will enable trade to be carried on in belligerent vessels in time of war, will be money wasted. The idea is an utter delusion. The difference in the rate of insurance alone would be sufficient to throw the trade into the hands of neutrals. It would therefore, in my opinion, be a great mistake on the part of the Government to allow themselves to be embarked in any great expenditure for this purpose. I hope the hon. and gallant Gentleman will not think that I have done him injustice in my remarks upon his speech, or that I in any way wish to disparage or diminish our naval supremacy.

(5.17.) MR. O. V. MORGAN (Battersea): I am prepared to support the Motion of the hon. and gallant Gentleman opposite, though certainly not as an alarmist. I have not had the advantage of listening to the earlier remarks of my hon. and gallant Friend, and I do not know what he may have said to cause alarm to the right hon. Gentleman, but certainly in the latter part of my hon. and gallant Friend's speech he said nothing that induced me to believe that his object was to bring about a large increase to our Naval Estimates. I am under the impression that our Navy is sufficiently strong for all the requirements of the Empire. It is equal to any two of the other maritime countries, and that seems sufficient to me. In addition we have those fine and powerful mail steamers which can be converted into war cruisers in case of war. My hon. and gallant Friend has referred to the growing sea commerce of the United Kingdom; but that of the colonies and dependencies is growing very much faster. The trade of our Australian Colonies is, per head of population, 25 times that of the Mother Country. Perhaps the most extraordinary increase in the whole world is to be found in Hong Kong and Singapore. I believe that the sea business of those two ports is greater to-day than was the commerce of the whole of the British Empire 50 years ago. Though I am not prepared to sustain this with the exact figures, I believe I am within bounds in making the statement. I think it very improbable that this country will ever be engaged in another great war. There is no country except Russia with which it is likely that we may go to war, and I believe that in 15 or 20 years' time public opinion will have become so strong in favour of peace that there will be no probability of war even with Russia. I am no alarmist, and believe we can defend our interests even on the North West Frontier of India against Russia. Neither do I think my hon. and gallant Friend can be called an alarmist. We have often discussed questions in relation to our colonial and foreign trade, and I have not found my hon. and gallant Friend under the influence of alarmist views; and I think it is unfair for the right hon. Gentleman to put into the mouth of my hon. and gallant Friend words which he did not use. It has been said that neutral ships would carry our commerce in time of war; but at present there are very few neutral ships. Nearly 75 or 80 per cent. of the steam shipping of the world is owned in this country. I do not think it would be possible for us to convert our own ships into neutral vessels, and I believe my hon. Friend (Mr. Labouchere) has something to say as to difficulties under the Treaty of Paris upon the point. I do not believe that the information asked for by my hon. and gallant Friend, if given, would lead to an increase of the Navy; but it would tend to give confidence to Members of the House and to people outside.

*(5.19.) THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Motion of my hon. and gallant Friend seems to be a very fair Motion, because it proposes to embody in a practical shape certain information which may be very useful, not only to Members of this House, but to other parts of the Empire. All that my hon. and gallant Friend proposes is that there should be put into a succinct form the annual revenue, the amount devoted to naval purposes, the amount of our sea-going commerce, together with the contributions from different colonies. So far as the Government are concerned, there will be no objection to the information asked for being given, though not exactly in the form in which it is asked for. We must be careful not so to earmark the contributions from the colonies as to imply that they are too small, without considering that local contributions are generally associated with control. Local control is incompatible with that mobility which our Fleet in war time should possess. The right hon. Gentleman the Member for Derby has made a very interesting speech, in which he laid down the proposition that, if this country went to war, not one quarter of wheat less would come into the country. Trade, he said, under the provisions of the Treaty of Paris, would be carried on under a neutral flag. I think the right hon. Gentleman was rather rash in saying that our commerce would enjoy in time of war under a neutral flag the same immunity it finds in time of peace. Does the right hon. Gentleman lay down the proposition that belligerents will always recognise a neutral flag, however colourable the transfer?

SIR W. HARCOURT: I did not say colourable.

*LORD GEORGE HAMILTON: The right hon. Gentleman says the transfer would be a real one; but how could there be a sudden real transfer of our enormous tonnage to a neutral flag? It is an impossibility. Certain conditions attach to the neutrality of the flag, and one is that a considerable portion of the crew should be of the nationality of the flag. It has been said that if the misfortune of war should ever occur, it will not be confined to one or two nations, but will involve the great nations of Europe. In that case, the commerce of one belligerent would be colourably transferred to a neutral flag of a small nation. Is it to be assumed that the commerce of a great nation can be transferred to the flag of a small nation alongside, and that such a transfer will be recognised by the belligerents? Such a transfer would never be recognised. No one knows better than the right hon. Gentleman that all nations reserve to themselves the right of deciding what goods are contraband of war; and not long ago a great nation declared that rice was contraband of war. If that is so, what becomes of the statement of the right hon. Gentleman that in time of war not a quarter less of wheat would come into this country? I cannot agree with the observation of my hon. and gallant Friend that an increase of commerce must necessarily entail an increase of naval danger. I differ altogether from that doctrine. Comparing the naval expenditure of the five great naval Powers of Europe, it appears that, out of a total gross revenue of £89,000,000, England spends £15,600,000 on its Navy, or 17 per cent. In France, out of a revenue of £123,000,000, the naval expenditure is £8,300,000, or 7 per cent, In Germany the total revenue is £60,000,000, of which £4,600,000 is devoted to the Navy, or 8 per cent.; while in Italy, out of £72,000,000, the Navy absorbs £5,000,000, or 7 per cent.; and in Russia, out of £94,000,000, the Navy receives £4,300,000, or 4½ per cent. It thus appears that our naval expenditure is in excess of that of any two other nations. These figures ought surely to be regarded as satisfactory. It is also interesting to compare the average annual cost of naval protection per ton of the seagoing mercantile marine of these different nations. In this country the average cost of naval protection per ton is £1 6s. 11d.; in France it is £7 19s. 11d.; in Italy, £6 4s. 6d.; in Germany, £2 19s. 10d.; and in Russia, £10 4s. Therefore, according to these figures, Russia ought to have a much more effective protection in time of war than we have. Therefore, I differ from the conclusion of my hon. Friend that in proportion to the increase of British commerce must be the increase of British naval expenditure. The greater cost of naval protection in other countries shows that the navies of those countries have not behind them the commercial reserves that we have. We ought to keep up our Navy, so that it may maintain in every part of the world its fighting supremacy, and for this duty the Navy could not rely on any system of merchant cruisers. But the Navy, besides maintaining its fighting supremacy, has to give all protection that is possible to our commerce throughout the world. And in the discharge of this duty it certainly could be greatly assisted by merchant cruisers. During the last two or three years accordingly the Admiralty has subsidised and encouraged the building of merchant vessels with the most modern armaments which may be available at a moment's notice. There has thus been developed a system which will be an important instrument in protecting our commerce in time of war. Therefore while I cannot agree with all the conclusions of my hon. and gallant Friend, still I agree with him more than with the right hon. Gentleman opposite, and I shall be quite willing to grant the Return of which my hon. and gallant Friend has given notice, though, in order that such Return may be more useful and compact, I should like to confer with him as to the form such Return should take. My hon. and gallant Friend has referred to the enormous increase in our Mercantile Marine. That is certainly the case, and the most satisfactory feature of such increase has been the increase not in the number of ships built, but in the size of the individual vessels, for the larger the ships of our mercantile marine are the better will they be able to take care of themselves. Although the tonnage of our Mercantile Marine has so enormously increased, the number of our seagoing vessels at the present time is probably not greater than at the commencement of the century. The substitution of steam for sails and the facilities afforded by telegraphic communication have placed the commerce of the country at greater advantage in times of war; and, therefore, though we cannot hope that in any future war our merchant shipping will secure perfect immunity such as the right hon. Gentleman seems to anticipate, yet I believe that with the courage and resource which have always distinguished our Merchant Marine, it would fare much better than in the past.

(5.35.) MR. LABOUCHERE (Northampton): The noble Lord has gone into a statement with regard to which I may say that for my part I have not the slightest objection to offer to his figures. But the noble Lord said he agreed more with the conclusions come to by the hon. and gallant Gentleman opposite (Sir J. Colomb) than with those of my right hon. Friend the Member for Derby (Sir W. Harcourt). I must say that I fail to understand in what the conclusions of the hon. and gallant Gentleman are to be preferred as opposed to the conclusions of the right hon. Gentleman the Member for Derby. The right hon. Gentleman the Member for Derby stated certain facts, and those facts have not been controverted in any way. The right hon. Gentleman said it was a matter of fact that if you go to war with any other nation, the rate of insurance will be so raised in British bottoms that commerce will go away from British bottoms to neutral bottoms. No one can deny this. We know that it occurred during the Crimean war, and also during the Secession War in the United States, and when persons talk very grandly and patriotically about giving a preference to British borne goods they are mainly actuated by their pockets; for no one likes to pay extra money in order that goods may be brought by British ships, when he knows he can get them cheaper from neutral bottoms. Well, what does the noble Lord say? He says, in the first place, that all countries have not signed the Treaty of Paris giving free ships and free goods. The noble Lord, when he spoke of all countries not having signed the Declaration, of course alluded to the United States. But the noble Lord is somewhat ignorant of history, or he would have been aware that the United States had joined in many treaties with other countries recognising free ships and free goods long before the Treaty of Paris. One of the reasons why the United States Government did not sign the Declaration of Paris was that they did not think any Treaty or Declaration was required on the part of the different Powers in regard to this point, because goods carried by free ships were in their nature free goods, and because if any treaty or agreement of the kind were suggested, any country might say it would withdraw from such a proposal. But the noble Lord says the right hon. Gentleman the Member for Derby was wrong in saying that not a quarter of wheat less would come to this country if we went to war. I do not suppose that when the right hon. Gentleman said "one quarter of wheat" he meant only one quarter, or a dozen quarters, or a hundred quarters, or, even, thousands of quarters. What he really did mean was that the price of wheat would not be raised in any appreciable degree by our being at war, because it would be carried in neutral bottoms. But the noble Lord says belligerents would not allow the colourable transfer of British bottoms to a neutral flag. No one ever said they would, as the transfers would, of course, be *bonâ fide*. During the American Civil War a great part of the carrying trade of the United States was *bonâ fide* transferred to this country, and the result has been to place the United States in this difficulty, that having lost that trade they cannot recover it, and we have retained it ever since. Then the noble Lord asks, how do we know that if we had our ships placed under the flag of some weak neutral Power the belligerent with whom we might be at war would continue to recognise the principle? Well, Sir, the question is a very simple one. We should take care not to transfer our trade to a weak Power but to a strong Power. "Yes," says the noble Lord, "but three or four great belligerent Powers might be united in war against us," and that we should then have to transfer our trade to the United States. But I ask why should we transfer our trade to the United States? And do you think that the belligerent Powers of Europe wish to have the United States down upon them? The noble Lord says you cannot transfer to the States because they would insist upon certain conditions. But the United States are a very intelligent nation, and within three days they would alter the law. If they thought they could get our Mercantile Marine on the cheap, do you not think that they would run a law through enabling them to do it? The other objection of the noble Lord is that food is contraband of war. I should advise him to stick to his Navy, and not go into questions of International Law.

*Lord G. HAMILTON: I did not say that food was contraband of war.

Mr. LABOUCHERE: The rule is this, that if you consider a port is being blockaded, and the people can be starved out, then you make food contraband of war. There has never been a country which has more abused the International Law with regard to what is contraband of war than has this country, yet we have never made food contraband of war. You must remember that although this country goes to war other countries are left out, and those countries are anxious to get the benefit of the increased commerce which arises. Depend upon it these neutrals will never recognise for a moment that wheat or food is contraband of war in respect of a country like this. The United States have an enormous quantity of wheat and cotton, for which they want a market, and if any of the European Powers declared that their produce should not come over in neutral bottoms, they would soon have the United States down upon them. When any country is at war with a large and important Power like ourselves they are not anxious at the same time to be at war with the United States. Whenever a suggestion is made for the increase of the Navy we have these stories about being starved out—and hon. Gentlemen opposite are less careful about those stories outside the House than they are inside it. There is not the slightest danger of our being starved out. I am not in favour of great military expenditure, and I would limit the whole of it to what is necessary for defensive purposes. I think what we do spend is generally better spent on the Navy than on the Army. I wish naval Members opposite would begin by saying that we spend a great deal too much on both the Army and the Navy, that a great deal too much is wasted and frittered away in the Army, and that the money would be better expended on the Navy. If they would do that, I can assure them they would have the warmest support from me. But when the First Lord of the Admiralty tells us one year that the Navy is perfect, and the next that it must be increased so that we may have a Navy equal to that of any other two maritime Powers, I say he is contradicting himself, and that he does not know much of his subject; he is not a sure guide in this matter. I believe no greater mistake could be made than to say in this House that we must have a Navy equal to the combined Navies of any other two Powers. What is the consequence? Why, that other Powers seeing our policy, themselves build more ships, which necessitates our building more, and so this game of brag goes on. I want to see our coaling stations defended, I want to see a sufficient fleet to defend our shores against attack; but I do not want a fleet which shall be sufficient to protect our whole maritime commerce all over the world. I do not believe that would be possible. Sometimes simmering, and sometimes bursting into flames, this abominable Jingoism distinguishes our country. We have a Jingo Government in power—a Jingo Government afraid to do much, but still doing something when they have the chance. I believe if we had that Government in power for the next 10 years we should be at war with some Power or other. They are most dangerous. When they have got our Army and Navy increased they will try some abominable scheme of annexation, or some arrangement with Germany or some other Power, in order to test both our Army and Navy. We have been dragged in this way into numerous wars, and Parliament has been told that it was too late to remonstrate, and that in honour England must fight. I hope it will be made clear to the House that the noble Lord stands to the proposition, or that he does not, that our Navy is to be made sufficient, not merely to protect our coasts, but also to protect our carrying trade in such a way that there will be no possible risk of our ships being seized if we are at war with any one or two great Powers, with the effect that the rate of insurance on our ships as against the rate for neutrals will not go up.

*(6.54.) ADMIRAL MAYNE (Pembroke and Haverfordwest): Sir, the senior Member for Northampton remarked that if this Government were in office for 10 years we should be involved in war. The hon. Member seems to forget that it has been in office for five years without a war, while the Government of which the hon. Member was a supporter had a war every Session between 1880 and 1885. I see no reason for his deduction at all. The right hon. Gentleman the Member for Derby and the hon. Member seem to suppose that it is an absolute impossibility to maintain our carrying trade in security during the time of war. If they have studied the history of the old wars they must know perfectly well that such was the action of the British Fleet, that British bottoms were considered safer in those wars than neutrals. There are two periods which should be considered—that when we had an adequate Fleet, and that when we had an inadequate Fleet. During the French War at the beginning of the century to 1815 British commerce largely increased because we had an adequate Fleet, but during the War of Independence with the United States, when we had an inadequate Fleet, our commerce largely decreased,

SIR W. HARCOURT: Of course, I quite appreciate the hon. and gallant Member's argument, but he must remember that at that time neutral vessels were just as liable to capture as belligerent vessels. The whole distinction is in what has happened since.

*ADMIRAL MAYNE: But I do not admit the absolute safety of neutral bottoms of which the right hon. Gentleman spoke, nor do I think any person, certainly any naval officer, would for a moment admit it. It is sufficient for the purpose of a naval officer that the cargo of a neutral should be detained, and sent into a neutral port, so as to prevent it being landed at the proper time at the port for which it was embarked. And I am afraid I must admit that the captain of a cruiser would have no scruple about sending vessels to a neutral port. I should not like to criticise in as strong language as I well might use what the hon. Member for Northampton said as to our shipowners transferring their ships to neutral flags rather than look to the proper protection of our Fleet. I do not believe the shipowning community of this country have yet fallen so low. But when he spoke of Jingoism and of the present Government increasing the Navy, I must remind the House that no one ever feels more offended or insulted than hon. Gentlemen opposite by the slightest suggestion that they had allowed the Navy to fall off in strength. We have had Lord Northbrook's programme, and other programmes continually brought up, to show that the Navy never was allowed to go below a certain point; in fact, it has been contended that my noble Friend the First Lord has merely been continuing the Northbrook programme. The right hon. Gentleman has spoken of an "absolute convoy," and about the fleet "covering the waters of the globe." I do not know that we ever contemplated any such thing, and if the right hon. Gentleman had studied this subject he would have found that all we aim at is the protection of certain fixed trade routes, which should be kept practically clear, and we believe that could be done for a very small amount in comparison with the enormous amount conveyed. I think that a great mistake is made when people talk about taking the fastest of our merchant vessels for war purposes; those are the vessels we shall in time of war want to carry the grain cargoes, and I believe shipowners will be able to run these vessels with comparative safety without transferring them to neutrals at all. With regard to this question of transfer, it must be remembered that not only is transfer to the United States impossible under the existing law, but also that France requires that a *bonâ fide* transfer shall be made; the captain and a large proportion of the crew in the latter case are to be Frenchmen; and they will not accept a transfer otherwise. So I do not hold with the right hon. Gentleman that it is an "utter delusion" that trade will be carried in belligerent bottoms. In the case of a European war our fleet, if only it is managed as it used to be, will carry by far the greater part of the trade of the whole world. As to the possibility of our being starved out, that is not worth arguing. We know the misery that France suffered years ago was due not alone to our action in stopping her commerce on the seas, but largely to internal exhaustion. As to the question of insurance, that may be dealt with in various ways, and much has lately been written upon it.

I do not propose to go into that subject now, but I must say that I was utterly surprised to hear the light tone in which the right hon. Gentleman spoke of the loss of our carrying power. Does the right hon. Gentleman know that it means a loss of £80,000,000 a year? It means four times our Defence Bill. To lose it means, in all probability, that we shall lose it for ever—at all events, for a considerable time. I maintain that, properly protected, belligerent bottoms could and would carry almost the whole trade of the world. As to panic, we can afford to laugh at those who sneer at us. We know that in case of war it would be our duty to protect the country while others are sitting quietly at home. We shall be the sufferers if it is found we cannot face the enemy in a proper way. All that we are urging upon the First Lord of the Admiralty and the country is, that they should fix upon an adequate standard, and that they should keep up to that standard and maintain our maritime supremacy, not only by cruisers but also by battleships. Try to imagine the feeling of the people of this country if they woke up to find that we had been beaten in a great battle in the Atlantic! We are not asking to have too great a Fleet, but an adequate one. The right hon. Gentleman the Member for Derby has spoken of the emptiness of the House as showing that hon. Members do not feel alarmed at the state of the Navy. The right hon. Gentleman does not often honour us with his presence at naval discussions; if he had, he would have known that for the naval discussion this is rather a full House; we usually vote millions in the presence of very few Members on the opposite benches. I earnestly hope the House will not be led away by any such speeches as we have heard to-night from the paramount duty of making adequate provision for the Navy.

(6.11.) MR. H. J. ATKINSON (Boston): If the present had been a meeting of the Chamber of Shipping we should not have heard the allusion we have to the sweeping away of the ships of the United States in the Civil War. The hon. Members who made those references seem to have forgotten that the vessels so swept away were sailing ships. The war in question broke out just at the time when a transition was taking place from sailing to steaming, and therefore it was that a few small cruisers sent out by the Southern States of America were so successful in capturing the sailing ships of the Northern States. But at the present moment a steamship is a ship to be relied on, and England, in respect of such vessels, is far in advance of all other nations, simply because of her long purse. The increment of wealth of other nations, is not sufficient to enable them to keep pace with us. It is absolute nonsense to talk of our ships being transferred to other flags. I would point out that the shipowners would like to see their money before they transferred their ships, and what two or three nations combined could pay the sum required to buy the enormous steamship fleet of this country, even if we wished to sell it? They could not do it, and therefore it is a downright absurdity to tell us our ships are going to be transferred to other flags. There is no doubt we have the carrying power, we have the speed, we have the money, and we have the men. The right hon. Gentleman the Member for Derby may laugh at that because it is a quotation from a music-hall song, but let me remind him it is a quotation which he has used in many of his political speeches. The hon. Member for Northampton called this a Jingo Government. He admits it will be 10 years hence before his Party get into power, and therefore I say his condemnation is like the curse of the Jackdaw of Rheims—it cannot hurt us. The right hon. Gentleman the Member for Derby, because he wrote letters on historical law, wishes to be taken as an authority on shipping, but we cannot accept him as such. I have had 45 years' experience, mostly in connection with steam shipping, and I tell him that all experts in shipping must know that the arguments of the right hon. Gentleman are all fallacious. If there is a panic, it will be from what the right hon. Gentleman has said to-night, but I do not think that the people of this country will believe it. The country owes a great debt of gratitude to Her Majesty's Government for having taken the best steamers on to their list, and thus encouraged the companies to build more like them; those vessels would bring in wheat or anything else that we want in time of war. As to the right hon. Gentleman's remarks on the subject of insurance, it must be remembered that a great part of the insurance of the country is carried out on the mutual principle, and, as a matter of fact, the right hon. Gentleman's City friends will tell him that marine insurance premiums are getting lower and lower from day to day. The right hon. Gentleman's fine spirit of panic is only the outcome of political necessity. The fact is, he has been altogether at sea in his arguments, and, at the same time, he has not been to sea sufficiently to enable him to make and apply proper arguments. When those acquainted with shipping matters read the right hon. Gentleman's speech to-morrow morning they will probably have as much contempt for his views upon insurance as the right hon. Gentleman would have for my opinion as to how a case before a Select Committee upstairs should be conducted.

*(6.18.) MR. GOURLEY (Sunderland): With regard to the Declarations of the Treaty of Paris, I can remember that when this subject was discussed in this House years ago I urged that we ought to go beyond those Declarations, but my right hon. Friend the Member for Derby opposed that. I hold that, in the event of war, any Government in power, whether Liberal or Conservative, ought to endeavour to extend the limits of the Treaty so as to make all private property free from seizure. I would, therefore, urge Her Majesty's Government to enter into negotiations, with the American Government especially, and with other Governments, for the purpose of extending the Treaty of Paris, so that all private property shall be free from capture in time of war. Supposing we were at war with the United States; they could immediately buy and equip vessels as privateers for the capture of our ships in all navigable waters. No Power would suffer more with regard to war with the United States in its Mercantile Marine as this country. If we were at war with a European Power, our carrying trade would, I believe, be transferred to neutral bottoms. The insurances would prevent merchants shipping goods into belligerent bottoms. Although some of our steamers might and would outstrip the enemy's cruisers,

we must not forget that an important part of our carrying trade is still conducted in sailing ships, which would be at the mercy of the enemy's cruisers. Therefore, that part, at least, must be transferred to neutral flags, and shipowners would be compelled to sell their vessels to foreigners. One great inducement to foreigners to purchase our ships would be the increase in freightage which would take place in the event of war. It would be an utter impossibility to convoy our merchant shipping in time of war. We failed to do so during the last French War, when private ersraked our very doors. Suppose, for instance, there should be starting on each of four or five trade routes 50 vessels simultaneously. How could we find convoys for them? And if we did, and an enemy's squadron were met and defeated, how could our warships chase them, unless the merchantmen accompanied them? I take it that the object of the hon. and gallant Member opposite in asking for these Returns is to show to what extent the colonies are protected by our Navy. Hence I say that if we are to give more protection to our colonies, which have become rich under Imperial protection, they ought to be made to pay the additional cost. India, a Crown colony, has already to pay her full share of the cost of the Army kept there for her defence. She requires no protection from the Navy. But if we make India pay for land defences, why should not the same rule apply to the colonies in regard to naval defence?

(6.26.) SIR E. J. REED (Cardiff): As one who has always insisted on the importance of maintaining the greatness of our Navy, I should like to say a few words. I think that the right hon. Gentleman the Member for Derby has administered to the House and the country a very necessary warning. It cannot be denied that for a long time past we have had comparisons made between our Mercantile Marine of to-day and the War Navy of to-day with the Mercantile Marine and War Navy of the past. I have seen assertions that there ought to be exact correspondence between the one and the other. Therefore, the speech of the right hon. Gentleman was a valuable one, and it was supported by arguments which hon. Gentlemen opposite have not attempted to meet. I agree with him that it would not be possible to carry on trade in belligerent bottoms. One very sufficient and obvious reason is that those ships would furnish the enemy with the means of coaling in any part of the ocean. Every British steamer would be a coaling station for the Navy of the enemy, and thus relieve them of the greatest difficulty which has attended the efforts of hostile cruisers to prey upon our Mercantile Marine. Every captain of a privateer would at once look upon our merchantmen as coaling stations. I understand that the noble Lord offers no objection whatever to furnishing such a Return as the hon. and gallant Gentleman proposes. I desire to see such a Return, and for the reason that I do not believe the truth of this matter lies in any broad generalisation, but is to be found in a close study of all the facts and circumstances attendant upon a maritime war. We are very deficient of facts. Facts of the kind referred to in the Return proposed by the hon. and gallant Gentleman are generally brought forward by irresponsible persons and without sufficient care. I agree with the First Lord of the Admiralty that, while the form of it might perhaps be changed with some advantage, the Return would be very valuable. With respect to the question to which the proposed Return seems to point, I agree with the noble Lord that what we have to do is to secure our supremacy against the War Fleet of other nations with whom we are likely to come into conflict, and then to utilise, as far as we can, the constantly improving vessels of the Mercantile Marine in the protection of the commerce of the country. I think the present Government deserve very great credit for having taken steps to bring into relation, and that by simple and economic methods, the War Navy of the country and the powerful and fast steamers of the Mercantile Navy. My opinion is, that if we were brought into war to-morrow, we should not have in the Navy of the country any vessel built for the Navy proper so suitable for the protection of our commerce as the large transatlantic liners. Those vessels can be fitted with light armament, and they can carry a much larger supply of coal than vessels belonging to the

Royal Navy. But whatever may have been the object of my hon. and gallant Friend in proposing this Motion, I am disposed to think we ought not to seek to use it for the purpose of goading the Admiralty into an increased naval expenditure, and I base that statement not so much upon the programme which the Admiralty brought before us a year or two ago, but upon the fact that the Government have realised the extreme importance of building ships quickly. I am sorry to say anything which in any way reflects upon my own Party, but I am obliged to say that for 17 years I have pleaded in vain in the House of Commons for the introduction of such a reform. I always regarded it almost as an outrage upon the commercial and business-like character of the country that we should vote money for ships which it was to be presumed were required for Her Majesty's Service, and then should linger for four, five, six, seven, eight, nine, and ten years over the construction of the vessels, thus involving the country in an expenditure which could have no fruit in the event of a naval war. It is greatly to the credit of the present Government that they have insisted on ships being quickly constructed, because when the money which was asked for a year or two since has been expended it will have produced three or four times the increase of naval force which the same sum of money would have produced under the old system, inasmuch as under the old system it would be spent on ships which never could have been turned to any useful purpose during time of war. I shall never fail to speak in favour of a policy which I believe tends to give the country value for its money, and which will add to the Naval Force of the country enormously in itself and still more enormously when it is compared with the policy of slow construction pursued by the French. While the British Government have been going from bad to better the French Government have been going from bad to worse, with the result that in a couple of years' time the comparison of naval strength will be almost incredibly greater in our favour than it could possibly have been under the old system of slow construction adopted by our Admiralty. I am in favour of this Return being granted, but think it should not be embodied in the Naval Estimates. There it would do harm. There it would lead to a false impression. There it would lead many persons astray; but placed in the hands of hon. Members as an ordinary Parliamentary Return, it would afford very valuable information, which it is very desirable the House should possess.

Question put, and agreed to.

Main Question again proposed.

PROMOTION FROM THE RANKS.

*(6.40.) CAPTAIN PRICE (Devonport): By the indulgence of the House I wish to say a few words upon a notice which stands on the Paper in my name: It is to call attention to the want of a proper system of promotion from the ranks. Hon. Members, no doubt, noticed a few weeks ago in most of the newspapers an appeal which was made from the ranks of the Navy in favour of a proper system of promotion to the rank of lieutenant and upwards. I do not wish to dwell on the appeal, or to take it in any sense as the text of the few remarks I desire to make, but I refer to it for one or two reasons. In the first place, those who read the appeal were very likely struck with the very strong point the appellants made of the paucity, or the supposed paucity, of lieutenants in the Navy, and that lieutenants could be taken from the ranks of warrant officers very much more cheaply than they can be found under the present system. I notice this, because I wish to correct what I think is an error. I have noticed, in talking over this matter with naval officers and others, that there is an impression that what is wanted by seamen and warrant officers is a regular system of recruiting from their ranks. I do not think that this was intended, and it is not what I advocate. Whatever is done must be done tentatively and gradually, and it ought not to be done on a very large scale. I have been told that the appeal did not come from the majority of the Navy. No doubt it came only from a minority, but that minority does not consist of the drones of the Service. There are many in the Service who cannot benefit by what is proposed, but there is a minority who really wish to have some means of raising themselves from the position they

hold, and it is a laudable ambition that ought to be encouraged. What is the present system in regard to promotion? There is a certain amount of promotion from the ranks now, but it is so very small that it is practically at a deadlock. Many years ago the Admiralty issued a regulation to the effect that on certain conditions warrant officers might be promoted to the rank of lieutenant, and an Order in Council stated that the promotion should be given for exceptional gallantry in action. That is not the way to reward a warrant officer—for exceptional gallantry. I can conceive that a man may show conspicuous gallantry, and yet be the very last man who ought to be given a commission as lieutenant, because he is not qualified for it in other ways. Up to the present time only two have been so promoted. A certain number of chief warrant officers, who have served a certain length of time, are allowed on retirement to take the rank of lieutenant. I propose that this list should be considerably increased. As to promotion on the Active List, there are several objections, the first of which is the social difficulty created by the rise of rank. I have noticed that until quite recently that has been put forward as the leading objection, but latterly it has rather melted away. In a letter to the *Times* the other day Admiral Sir Geoffrey Hornby, who is regarded as one of the highest authorities in the Service, said that so far as regarded association on shipboard difficulty need not be apprehended, and Admiral Colomb, who is also considered a high authority upon these matters, does not think the existing body of lieutenants would be touched by the social difficulty. In the Navy there are so many different kinds of duties to be performed that appointments might be found for warrant officers where there would be no social difficulties at all. Then it is objected that our naval officers ought to be highly-educated men in every branch of their profession. I thoroughly endorse that. It is also said that the education of to-day is very different from what it was; and that the whole professional *status* of the lieutenant has very greatly risen. That is perfectly true, but it is also true that warrant officers have to pass examinations which are far more formidable than examinations were in days gone by. The warrant officers who aspire to be promoted to the higher ranks know perfectly well that they will have to undergo certain examinations. Let me remind the House what are the examinations that have to be passed by ordinary lieutenants in the Navy. They consist mainly of three subjects—seamanship, gunnery, and navigation. I do not think there is any naval officer here to-night who will deny that a gunner in the Navy is quite as well instructed in gunnery as any officer, or that the boatswains or the gunners are not quite as well up in seamanship as the ordinary lieutenant. In fact, it is the warrant officers who instruct the lieutenants in seamanship and gunnery. Then we come to navigation. Until very lately there were very few warrant officers who had any knowledge whatever of navigation, but some short time ago the Admiralty gave permission to warrant officers to qualify in that branch of a naval officer's education, and I think I am correct in saying that about 30 warrant officers voluntarily, and at their own expense, passed the examination in navigation. I think about six of them are at this moment surveying in the navigation line. This shows that it is not beyond the power of the warrant officer to qualify himself in that branch of a naval officer's education. Sir Geoffrey Hornby touches on this point, and says it will be easy for warrant officers to acquire a knowledge of navigation. Other officers who have written on the subject make no difficulty at all on the point. Admiral Hornby, however, goes on to say that capacity to handle a ship will be at their age much more difficult to acquire. I really do not see where the difficulty comes in. You do not want any special education for that. Like myself, many naval officers who had never been in charge of a ship before were suddenly appointed to the command of one, and had suddenly to acquire a knowledge of handling a ship. It is not a question of navigation, but of a cool head and plenty of nerve; it is rather a matter of a man's digestion than of a knowledge of history or navigation, or anything of that kind. It requires merely an average knowledge of the use of the sextant, and a cool head. I will deal with only one further objection, and that is a small one. It has been said this will be of no advantage to the men. As far as that goes, I really think those people who are advocating this change should be allowed to be the best judges whether it is of advantage to them or not. One gallant officer talks about its being a "Dead Sea apple." Well, there is an increase in the pay, and that is not a Dead Sea apple. But it is said that when one of these officers is on shore he will find it much more difficult to get on in society. I do not see that that follows at all. Many officers in the Navy at the present moment have risen from very humble positions indeed, and they find no difficulty in getting on on shore. We ought not to lose sight of the fact that it is not only an advantage to a man himself to become a commissioned officer, but it is also of advantage to his family. Undoubtedly there are many appointments which a commissioned officer's sons would be able to go in for, and which would not be open to so great an extent to the sons of a warrant officer. I have seen a great many of the men on this point, and they do not look upon it as a Dead Sea apple. They have indicated an alternative to the scheme under which, side by side with the proposal to advance warrant officers to the rank of lieutenant, warrant officers should, after a certain number of years, take the honorary rank of sub-lieutenant. I believe the appeal made by the men is a serious one, and I commend it to the House and the Government, because I believe its adoption will lead to the greater efficiency of the Service.

*(6.58.) ADMIRAL MAYNE: I regret very much that my hon. and gallant Friend has taken up this subject, as I think without due consideration, and without taking the opinion and advice of those officers in the Service who are most qualified to give sound opinions on the subject. I find myself in a very difficult position. In the first place, it is very unpopular to condemn anything which appears like helping the poor man to get on. As far as the social difficulty is concerned, if it consists in having as a messmate a man who has risen from the ranks, I do not believe there is one officer in 20 who would ever think of it. If there were any feeling at all it would be on the part of the man who had risen from the ranks, and not, I think, on the part of those among whom he is placed. The greater part of the hon. and gallant Member's speech advocated the promotion of warrant officers to the higher ranks of the Service. Well, the other day I saw a number of these officers, and I put to them various questions on this subject. The result was that they asked me to strike out of the proposal all that part which relates to the promotion, as all they wanted really was the honorary rank of lieutenant into the general line of the Service. I asked if they were authorised to say that on behalf of the warrant officers? and they said, "Yes, we have full authority, we do not want any substantive rank; we shall be perfectly content with retired rank." Now, I do not quite believe that they could undertake to answer for the whole of their class; but if that be so, of course that clears the ground to a great extent, knocking away most of the arguments against the proposal. Whether it may be possible to give them some better retirement is a question which may well be considered. I think the hon. and gallant Gentleman who brought forward this proposal has not spoken on behalf of any but a very small minority of the warrant officers; in fact, if I am rightly informed, some two or three men have got up the whole question. This small minority want something, but they do not know exactly what. The hon. and gallant Gentleman says this should be left to them; but there I differ from him, and experience in the Service tells me that when you give an officer rank, unless you give him pay according to that rank you immediately create another grievance. It is no use giving an officer gold lace without pay. I know in such a case the man promoted finds it is no good to him with the expenses of uniform and mess on the other side of the balance sheet. As a matter of fact, the two officers to whom the hon. and gallant Gentleman has referred, who were made lieutenants, have to be kept in two small commands, one at Portsmouth, the other, I think, at Plymouth; at any rate, two small commands; because the Admiralty does not consider itself justified in putting them to the expense and other awkwardnesses, if I may use the expression, of

the ordinary ward-room mess, but keeps them in these two small commands by way of saving them expense and enabling them to eke out their pay by the command money. But the Admiralty cannot create small commands for all the warrant officers to be promoted. I remember a case in which a chief petty officer complained to me that he had much better have been left to follow his old lines, and that it had been no kindness to him to be removed from the lower deck, and be made a warrant officer. I remember a chief boatswain's mate refusing a warrant again and again, and when I questioned him he said, "I shall only be put out of my place. I am happy in the position in which I am." He objected on that very ground which the hon. and gallant Gentleman seemed to think an advantage, that his wife, his sons and daughters would be put into a position to which they were not bred and educated, and which he would not have money enough to support. I think it would in many instances be cruel kindness. The hon. and gallant Gentleman makes no claim on behalf of carpenters and engine-room artificers; but why should they be left out? Why should one class of warrant officers be selected for personal advantage, and not others? The fact is, warrant officers' rank was meant to apply to men specially selected because they had served well, and were good men to put into a class in a somewhat better position than their comrades, the principal object being to lessen the distance between the two classes on board ship, and give the men a better representation, so to say. I will not go into the question of the handling of ships, because I think that may be learned by some, but can never be learned by others, no matter what is their rank; and it is, as has been said, to some extent, a question of nerve and digestion. But the social position of a commander is another matter, and does not mean merely his position in a ball-room. If you put a man in command of a ship, you have to consider how he may bear himself in all the varied conditions imposed by the nature of the service on captains of ships on foreign stations. I remember very well the answer of the late Lord Malmesbury when questioned as to the chances of a war with America after the Trent affair. He replied that it depended very much upon the naval officers in command of ships meeting with each other at sea, and he expressed the greatest reliance on the tact and judgment, of the various officers in command, and, therefore, did not believe there was any imminent danger. Such tact and judgment, which are essential, can only be relied on with men in the position from which our officers are selected and educated from earliest youth in its exercise. I had a letter from a captain the other day in which he says—

> "This question of promotion from the ranks is got up by a few warrant officers of advanced ideas, and he had six warrant officers serving with him, and none of them were in favour of it. They believe that the extra expense that they would have to incur would do away with any advantage they would derive."

And he adds—

> "If you make the bluejackets lieutenants, what about the engineers, stokers, and carpenters?"

The warrant officers do not wish for this change. It is proof of the general contentment that we can maintain a higher state of discipline than is maintained anywhere else without the slightest trouble, and at the present time the heaviest punishment you can inflict upon a man is to discharge him from the Service. I think before we make so fundamental a change as altering the whole rank of warrant officers, some more sufficient reason must be shown than has yet been advanced.

*(7.12.) Mr. GOURLEY: I am glad the hon. and gallant Member has brought this question before the House, and for my part I do not see why a similar system should not govern promotion from the ranks in the Naval as in the Military Service. In the Army a "ranker" or private soldier has the opportunity of rising from the ranks to the highest position of "General." I would not have the promotions limited to honorary rank. I think there should be a system of substantive promotions from the ranks for a specified number of seamen. I hold the opinion that the whole system of officering the Navy requires reform. The special system of education on board the *Britannia* is no longer required for naval officers. The progress made in the

education of the great masses of the people is such that the men who now fill the ranks of the Service are very different in education and qualifications to the seamen of 30 years ago. The exclusiveness of the *Britannia* system ought to be abolished. That opinion was expressed by the present Chancellor of the Exchequer many years ago and in that sense the present Under Secretary for India brought forward a Resolution in 1880, which I then seconded. I quite agree with the opinion expressed by the Chancellor of the Exchequer years ago that the *Britannia* system might be abolished and, under a specified curriculum, in our public schools and colleges boys should be prepared for naval examination, then enrolled as cadets, be taught seamanship and navigation in sailing vessels, and then be transferred to our men-of-war for the study of gunnery and other matters. The question as raised by the hon. and gallant Member for Devonport comes to this, that if men pass a certain examination they shall be promoted from the position of warrant officers. There have, as the hon. and gallant Member has said, been only two promotions to the rank of lieutenant, and a warrant officer retiring with the rank of lieutenant does not receive anything like the pension awarded to an ordinary lieutenant. The Admiralty should lay down a system under which a certain number of boys should be under certain examinations and qualifications as to seamanship and navigation, and such matters, entered for the position of warrant officers, and be entitled to be promoted to the substantive rank of lieutenant. The honorary rank of lieutenant is no encouragement to a boy to exert himself and qualify himself to rise in his profession. Promotion from the ranks would, in my opinion, be a real benefit to the Service, and would increase *esprit de corps* in the Navy. I hope the Admiralty may see fit to accept the suggestion of the hon. Member for Devonport.

CONTROL OF PORTS AND COALING STATIONS.

*(7.20.) Sir JOHN POPE HENNESSY (Kilkenny, N.): The Motion which I ventured to put before the House is in the following terms:—

> "That the Ports and Coaling Stations held for naval purposes should be under naval and not military control."

Some days after I had placed that notice on the Paper, the interesting statement of the First Lord of the Admiralty was distributed, and at the end of that statement I find the following passage:—

> "There are officers of both Services who believe that measures should at once be taken by which the Navy should immediately undertake the defence of the great naval ports, and be, in time of war, responsible for the safety of the base of their own operations."

"I admit," continues the noble Lord,

> "that if such a change could be carried out, it would tend to secure unity of action and responsibility, and would, in an emergency, secure at the great naval ports the rapid utilisation of all available resources, for whatever movement the exigency of the moment might require."

Well, that seems a powerful argument in favour of the Motion I had put upon the Paper; but immediately afterwards the noble Lord goes on—

> "But it is a proposal that involves so immense a charge that it is not under any conditions practicable in the immediate future."

Now, this question has been for some time before Parliament and the country. The Hartington Commission in 1888 dealt with it conclusively, and in the Report of the Commission to which the noble Lord (Lord Hartington) himself made reference the other night the Commissioners take a very different view from the First Lord of the Admiralty as to the expediency or possibility of dealing with the subject at once. The Report of the Commission carries such authority that I venture to quote a passage—

> "Two Departments are engaged in two branches of what is, or ought to be, one duty and one combined work. The first point which strikes us in the consideration of the organisation of these two great Departments is that, while in action they must be to a large extent dependent on each other, and while in some of the arrangements necessary as a preparation for war they are absolutely dependent on the assistance of each other, little or no attempt has ever been made to establish settled or regular intercommunication or relations between them, or to secure that the establishments of one Service should be determined with any reference to the requirements of the other. As illustrating the dependence of the Army on the co-operation of the Navy, it may be pointed out that a large part of the duty of the Army in time of war would be the defence of distant possessions and dependencies, such as India and the colonies. No perfection of military organisation, no completeness of military establishments, could

> enable the Army to discharge this function unless the Navy were, on its part, in a position to undertake the safe transport of reinforcements and of the necessary armaments and stores. The scope of action of the Navy in distant waters must mainly depend on the amount of confidence with which it can calculate on the power of self-defence of the principal coaling stations and reckon on finding there the necessary supplies. It has been stated in evidence before us that no combined plan of operations for the defence of the Empire in any given contingency has ever been worked out or decided upon by the two Departments; and some of the questions connected with the defence of military ports abroad, and even of those at home, are still, after much departmental correspondence, in an unsettled condition, and that the best mode of garrisoning some of the distant coaling stations is also undecided. In all these subjects a question of principle is involved, which no attempt has been made to solve by a final and definite decision."

No wonder the Commission summed up all this by calling it a "dangerous condition of affairs." That was in 1888. What have we heard this year from the Chairman of that Commission? Speaking on the 23rd of last month on the Army Estimates, the noble Lord (Lord Hartington) took occasion to repeat the warning, and it is evident he does not share the opinion of the First Lord that these reforms should be indefinitely delayed. The noble Lord referred to the want of a combined naval and military plan for the defence of the Empire, and to the fact that the best mode of garrisoning the coaling stations was still undecided, and he added—

> "Thus, some of the most vital questions are still left in a dangerously uncertain condition."

The reply of the Secretary of State for War to some extent resembles the words I have quoted from the statement of the First Lord of the Admiralty. The right hon. Gentleman said—

> "When the Report of the Commission was brought before the country the Government watched to see the general drift of opinion with reference to the changes proposed. . . . As to the transfer (of the coaling stations and fortifications to the Navy), it was a question of enormous importance, which could not be carried out until the lapse of a considerable number of years."

Thus the two Members of the Cabinet most concerned concur in saying that a considerable period must elapse before the necessary reforms can be carried out. Now, what is the actual condition of affairs witnessed by those who have for some years resided at these coaling stations? I remember that at one particular coaling station the Governor received a telegram from Her Majesty's Government asking to be immediately supplied with a Report as to the state of the submarine defences. The Governor accordingly wrote to the officer commanding the troops, and then accompanied him to the harbour to confer with the officer having charge of these submarine mines. On embarking for the fort the general-in-command makes an apology to the Governor: "I am sorry they are so clumsy; but, in point of fact, the soldiers are not accustomed to the oars." The General and the Governor are conveyed across the harbour to the fort where the Engineer officer is. On arriving there, the Governor asks the Engineer officer, "How many hours will it take you to lay out the whole of the submarine mines?" The Engineer officer says, "Well, Sir; unfortunately the chart I have is rather an old chart, and some of the officers of Her Majesty's ship so-and-so, told me when they were recently in harbour, that the coral reefs have increased. The soundings have altered, there is now a current in another direction, and on the whole, I am afraid I cannot tell you within 36 hours or three days when I can lay out the submarine mines." Of course, the House will understand that this military man cannot be blamed. He is put in charge of purely naval work, and is not a naval man. Who is responsible for this? Her Majesty's Government. Now, to take another coaling station. Hong Kong is described as a coaling station of first-class importance. I remember there that it was the duty of the Governor to have a conference with the General-in-command and the Admiral during a Russian scare. The Admiral decided to take his ships to sea and there attack the Russian Fleet. The General said that would not do; the Admiral must not leave us defenceless. I was appealed to, and I ventured to express the opinion that it must be left to the Admiral to decide what to do with his Fleet. Next day the Admiral left, and not many hours elapsed before I got a telegram from London to the effect that at the War Office a very alarming message was received from the Commanding Officer, who had telegraphed openly that the Admiral had taken away the whole Fleet, and "Hong Kong was absolutely defenceless." Within an hour of the sending off of the telegram by the General its contents were known to the Russian Consul and telegraphed on to Europe. Her Majesty's Government instructed me to inform the General that in future he should send his telegrams through the Governor, who had the Foreign Office cipher. Accordingly, that was done; but, in fact, the colony had not been left so entirely defenceless as the officer in command of the troops supposed, for the Commodore who remained in charge of the Naval Yard acted cordially with me in improvising an efficient torpedo defence. Similar misunderstandings were constantly cropping up between the Military and Naval Authorities. I mention this as an illustration of the difficulty which is created by the Government itself in maintaining a divided responsibility in the defence of coaling stations. Now, Sir, Her Majesty's Government are no doubt aware that there are Reports in the possession of every Government on the Continent of Europe from the officers of the Foreign Intelligence Department, and that those Reports, referring to the defence of the ports and coaling stations of the British Empire, are all to the effect that the scheme of defence is radically defective. Our allies on the Continent do not always confide to us these Reports of experts on our shortcomings. But I assert that such Reports exist, that they are all in one direction, and that they are unanimous in saying that our system of coast and coaling station defence is on a wrong basis, and imperils the safety of the British Empire. Fortunately, the United States recently published the Report of Lieutenant Colwell, of their Intelligence Department. It entirely supports the views we have heard expressed this Session by Lord Hartington. Writing to the United States Government in June, 1888, Lieutenant Colwell says—

> "The coast defence of Great Britain is notably the most inefficient of any of the great European Powers. Owing to the divided control, lack of co-operation, absence of digested schemes for mutual support, and the mixing of naval and military duties, the defence is unwieldly in its administration, unprepared for sudden work, and labours under the disadvantage of placing military men outside their legitimate sphere of action."

We have already heard indications tonight from both sides that the House does not agree with Her Majesty's Government. My hon. Friend the Member for Northampton (Mr. Labouchere), though he is not in the habit of saying much in support of what are called the Services, did say to-night that he was very anxious to see the coaling stations of England adequately defended, and he added that in his opinion the money laid out on the Navy was generally better laid out than on the Army. The coaling stations are not adequately defended. They are established solely for naval purposes. The Secretary of State for War himself, in addressing the Colonial Conference in 1867, called them "the Amiralty coaling stations." They are intended to resist a naval attack only, but they are garrisoned by the military, and are under the War Office instead of being under the Admiralty. If I may dare to touch again on the more or less trivial experience of an individual, I remember a case in which it became necessary for me to inspect some of the look-out points of one of our coaling stations. The men entrusted with the looking out were all soldiers. I asked one of them whether, when ships come above the horizon, he could distinguish the difference between a German cruiser and an English man-of-war? "Oh no, sir," he said; "not until the flag goes up I could not tell any difference." I need hardly say that a sailor could tell the difference of rig many miles off. I am, unfortunately, old enough to remember—and I suppose nobody present is in the same predicament, unless perhaps it is the hon. Baronet on my left (Sir W. Lawson)—the great Debates which occurred 30 years ago when Lord Palmerston proposed a costly scheme of fortification and military defence. I voted against it, mainly because I saw that it was opposed by the best naval opinions of the day. It was a contest between the Military and Naval Authorities. In a small minority of 39, I then voted for the naval as opposed to the military defence of our coasts. But the two Front Benches, and practically both sides of the House, voted an expenditure of many millions, now admitted to have been mostly wasted. Parliament yielded to the military opinion in 1860; and a common phrase accurately describes what occurred as regards the military works at Alderney—the £1,500,000 were "flung into the sea." The expenditure was absolutely useless; and at least £500,000 was similarly "flung into the sea" at Bermuda. The Navy was consulted too late. The real custodians of the waterways of the Empire were not consulted in time. The Secretary for War thought my proposal would involve increased expense. On the contrary, it would be true economy. If the Navy Estimates grew larger, the Army Estimates would be reduced in proportion. As to the increase of *personnel* and cost of administration at Whitehall, a trifling addition to Marine Staff at the Admiralty would suffice. The Public Works Department at the Admiralty was quite capable of looking after the forts. What said General Sir William Jervois, who had had more to do with our fortifications and coast defences than, perhaps, any other officer in Her Majesty's service?—

> "I am confident that its adoption would be productive of economy through its intrinsic values of unity and simplicity. Nothing, it is well known, is more conducive to extravagance than the uncertain allotment of duty, division of responsibility, and departmental friction, evils from which the two Services have long been and still are suffering, to the prejudice of their own efficiency and the detriment of the British taxpayer. The truest economy consists in obtaining the best possible return for a given outlay."

Another eminent military expert, General Sir Andrew Clarke, when occupying the responsible position of Inspector General of Fortifications and Director of Works, recorded his views in February, 1883, in favour of a Marine defence for our colonies. In discussing a paper of the hon. Member opposite (Sir John Colomb) on our Marine Forces, Sir Andrew Clarke said—

> "In our smaller colonies, especially taking those colonies most valuable to us, and at the same time most difficult for us to control and defend—the whole of our colonies to the Far East, reaching up to China—I have always advocated and would advocate still that the garrisons should be entirely Marines. Regiments of the Line, constituted as they are, are not the most effective agents now for Colonial Defence, and they are most expensive in those positions, requiring, as they do, large Civil Departmental Corps to be attached to them to make them at all efficient. On the other hand, you can move the Marines at 12 hours' notice, or less than that, without all the necessary departmental arrangements which are involved in moving a regiment of the Line. That in the defence of the colonies is a point of great economic value. Their organisation offers another very great justification for their being employed in such a way. An Admiral, knowing every place where they are, on difficulties arising, whether amongst the civil population or by the approach of an enemy's fleet, could at any moment reduce his other garrisons and increase his forces at the menaced point. In our separate commands correspondence must take place, the case must be proved, and valuable time is lost before you can move any portion of the regiments, especially in parts of the world I have just spoken of. If there was one homogeneous command over the Marines stretching round the China Seas under one General or one Admiral, you would secure for the Empire a very efficient service, far more economical than the present one, and one which would especially meet the requirements of our Colonial Service. To me, at the present moment, having the responsibility of advising the Government in reference to the question not only of the defence of our commercial ports in England, because I can see the application of this very question of the Reserve of Marines to assist in the organisation of the defence of our commercial harbours as well as of our military harbours, but also in the question of the defence of our coaling stations abroad, I believe the Marine organisation offers a satisfactory solution of that question."

The right hon. Gentleman at the head of the Treasury is as anxious as any man to see the public money properly spent; therefore I would earnestly commend to his attention not the last sentence I read from the Memorandum of the noble Lord (Lord George Hamilton), but the preceding sentences, and I would ask him and the Government to consider whether the time has not come, not for carrying out the whole of this great scheme, but for trying the experiment of beginning with the coaling stations on the China Sea. If the Government would do this they would have an opportunity at once of placing their coaling stations in that part of the world under the Admiral in command. They would then have an opportunity of practically testing the Motion that I put before them. I have no doubt that they would see that both in Hong Kong and in Singapore the Admiral-in-command would be able to raise a marine force, which would materially assist in securing a better defence for these coaling stations. And on this subject I would like to say to the noble Lord the First Lord of the

Admiralty and to the right hon. Gentleman the First Lord of the Treasury that Her Majesty's Navy is very popular in the colonies. Whatever the cause may be the Army is not so popular. And of all the branches of that popular Service—the Navy, I believe the Marines are themselves the most popular. The Marines can be recruited in many of the colonies as well as the Marine Artillery. If you were to garrison coaling stations with the Marines and the Marine Artillery, you would have a body of men easily transferred from station to station, a body of men inexpensively relieved, and ready, if necessary, to co-operate with the fleet in an active attack. Suppose the Admiral, under existing arrangements, came to the conclusion that the best way to save Hong Kong was to attack Vladivostock. Suppose he should say to the military commanders of Singapore and Hong Kong—"I desire to make an attack on Vladivostock, for it is undermanned and I can now occupy it; but to do so I must take away the troops from Hong Kong and Singapore." What would be the answer of the military men? I have never known a question of that kind arise without there being a difference, and an irreconcilable difference, between the Military and Naval Authorities. For my part, I should be perfectly content if Her Majesty's Government would try the experiment I advocate on the China Sea by garrisoning those Eastern outposts with Marines, and placing the zone of defence under the Navy.

(7.47.) ADMIRAL FIELD (Sussex, Eastbourne): I think that all naval and military men—certainly all naval men—who read the speech of the hon. Member who has just sat down, and who speaks with such great authority on this subject, will be deeply grateful to him for his observations. No one can speak with greater knowledge and authority than the hon. Gentleman who has so recently returned from those distant parts; and he has left us naval men nothing to say. He has exhausted the arguments. The hon. Member gives us a most humorous description of the miserable state of things which existed for years at our coaling stations before the present Government came into power. At the time of the Russian scare if we had gone to war with Russia all our coaling stations might have been captured, unless ships of war had been detached to protect them. I had occasion to look into this question when I went on a trip to Australia a few years back, and I am firmly of the opinion expressed by the hon. Member. He only presses the Government to try an experiment. The noble Lord alluded to this particular question, and it is perfectly easy to read between the lines of the memorandum and see that he is very much exercised about it. The noble Lord I believe desires to grapple with it in the direction favoured by naval opinion, but he is more or less powerless unless supported by opinion in this House to strengthen his hands. We naval men generally are modest men, and we do not want the Government to do great things at the beginning. We only urge that an experiment should be made. It would be a huge folly for us to take possession of every naval station. We do not want anything to do with the great fortresses like Gibraltar and Malta; but the outstanding stations are the important points, and if the noble Lord can only see his way to put on the Estimates an increase to the Marine Force, the thing can be done in a month. There are many advantages in such a reform, and they are so obvious that it is needless to waste words in explaining them. They must be apparent to the poorest mind, however little acquainted with naval and military affairs. If a Marine detachment were placed in charge of the defensive works of places like Hong Kong and Singapore the Admiral will know the force he has to rely upon, and his wishes will be scrupulously regarded; there will be no conflict of authority, and he can, if necessary, go on a distant expedition after detaching a ship to guard what he leaves behind. Again, in the event of sickness breaking out in a garrison, nothing will be easier than for the Admiral to change the whole of the men, and give the sick a three months' cruise. That cannot be done with soldiers. The House is indebted to the hon. Member for Bow and Bromley for having first directed attention to this matter. A Commission afterwards sat, and from that day to this the question has been occupying the attention of the country. The present

Government have done a great deal in providing guns for our coaling stations, but it must not be forgotten that, though we have the guns, we want garrisons and barracks, and that sufficient money has not been taken for these. The question still sleeps. We want pressure from behind, and I think we have that in the Motion and the speech of the hon. Member opposite. The House owes a debt of gratitude to the hon. Member for taking up this question and trying to rivet public attention upon it.

(7.54.) MR. J. W. LOWTHER (Cumberland, Penrith): As a civilian, I am reluctant to intrude in this interesting discussion, but I regret that I find myself unable to concur with the two speakers who preceded me. I had the honour of being a member of a Committee which sat at the War Office for a considerable period, the result of our deliberations being that the House was pleased to vote a considerable sum of money to strengthen the military ports of this country and the coaling stations. Therefore, since that time I have taken considerable interest in these questions. I listened with the deepest attention to what fell from the hon. Member for Kilkenny, and it seemed to me that in quoting the case of Hong Kong, as he did, he really gave himself away. The lesson which I should draw from the case of Hong Kong, as cited by the hon. Member, is that it is absolutely necessary that the fortifications, so far from being placed under a naval commander, should be left in the hands of the Military Authorities. What did he tell us occurred? Why, that when it was possible that war might break out, the naval commander at once took away all his ships and all his men, and left the harbour defenceless. In order that a harbour should not be defenceless, the fortifications should be complete and the mine-field ready to be laid down by persons on the spot, and not by men under the Naval Authority. Sir Astley Cooper Key's words on this point are very instructive—

> "Nothing has pleased me more than to know that foreign countries intrust the defence of their ports to the Navy. We may thus be assured that many of their best officers will be shut up in their ports, and must be withdrawn from the strength of the Navy in time of war."

It seems to me that the defence of a port resolves itself into two parts—the active defence and the passive defence. The active defence would naturally be taken charge of by the Admiral in command; but it seems absolutely necessary there should be on the spot a passive defence in the event of sudden attack upon the port; and that that passive defence should be in the hands of the Military Authorities, because it is pretty certain the Naval Authorities would take very good care to take away every available man and gun for the purpose of active defence. The gallant Admiral at my side (Admiral Field) says he would leave the Marines behind; but I am by no means sure that he would not do exactly as was done in the case quoted by the hon. Member opposite, if he had the means of transport, and take away every available man. It seems to me, therefore, that the question ought to be left as it is. It seems to me that there is another side to this question, and I do not wish the erroneous impression to go forth that the House shares unanimously the views which the two hon. Members have put forward.

*(7.58.) THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): I think the hon. Member for Kilkenny has certainly brought before the House a most difficult question affecting military and naval administration, and one well worthy the attention both of the House and the Services. The hon. Member has put a correct interpretation on the language I used in my Memorandum. It is true that I am not satisfied. On the other hand, I feel the difficulties are enormously great, and I want the House and the Services fully to appreciate what the change advocated really means. I can quite understand the idea of making the Army responsible for everything relating to the land, and the Navy for everything relating to the sea. But the peculiarity of the passive defence to which my hon. Friend has referred is that every year it is taking more and more an aquatic shape. As science develops and the range of guns increases, the passive defence becomes more and more an aquatic defence. That being so, what is the position of any officer who is intrusted with the defence of a station? He needs gunboats, torpedo boats, submarine mines,

and under-water communications. All that necessitates that there should be a certain appropriation of naval force for the purpose of participating in what is called passive defence. My attention was drawn to the matter some years back, and I went into it to see what it would cost. I want to show that any such change as is now proposed must involve a good deal of difficulty and a large increase of expenditure, and, moveover, if you once enter upon it you will not find it very easy to stop. I, for one, never would consent to any arrangement under which a naval force should be placed at isolated stations of an unhealthy character if they were not also to have charge of the more healthy stations; and if this were so it is estimated that to garrison in time of war all our coaling stations abroad, including Gibraltar and Malta, would require 35,000 men, who would need a reserve of 15,000 men at home, so that the transfer of the control of the coaling stations from the Army to the Navy would involve a transfer of something like 50,000 men from one Service to the other. That question itself is, therefore, a very grave one, because it would revolutionise the Force, would lead to great alterations in the system of administration, and would make it very difficult to carry on the regimental system in many cases. In addition to the financial and administrative difficulties, a very large number of experienced naval and military officers are opposed to the change, among them nearly all my naval advisers. What they say is that if this change is made it will attach a large land force to the Navy. I want the House to appreciate the enormous difficulty of attempting any change of the sort; but speaking my own individual opinion, which is not that of my naval advisers, the present system is one of difficulty in time of peace, and might be dangerous in time of war. I have seen it worked under the most favourable conditions, for my right hon. Friend the Secretary for War, who has done so much to benefit the Army, has occupied himself more than any of his predecessors with the interests of the Navy. The right hon. Gentleman was the first man who was impressed with the necessity of armed forts for the purpose of protecting the bases of naval operations, and in many other instances he has cordially worked with the Navy, and the same spirit animates both the Naval and the Military Boards. There is, therefore, complete co-operation between the two Departments as far as is possible when two Services are placed in a position which I do not think they ought to occupy towards each other. The Army is called upon in time of war to protect the permanent bases of operations, a duty which everyone knows is always unpopular in time of war, because those who have to perform this irksome duty naturally desire to go to the front. But when a duty is put upon one Service which ought to be put upon another the difficulty is enormously increased. The hon. Member for Northampton has said that he did not object so much to the expenditure on the Navy, but he wanted to see that on the Army much reduced. Let us suppose that the Party of the hon. Member comes into power. They have already promised to squeeze the Army Estimates, but in the process of squeezing those Estimates they would eliminate all the provision that ought to be made for the protection of the naval bases of operation. Military men would say, having already a difficulty in providing for the primary wants of the Military Service, that the secondary task in connection with the Navy must be subordinated. That is the difficulty in time of peace. Now, what would be the difficulty in time of war? Would anybody pretend that it was a right system to intrust all that relates to defensive operations to one man, one Service, and to one Department, and all that relates to offensive operations to another man, another Service, and another Department? The very anxiety which each officer of each Service would display in trying to carry out his part of the duty would make co-operation almost impossible. The House must recollect, too, that in the Army different trains of thought exist from those which exist in the Navy. The naval view is that at the outbreak of war the best protection to the commerce of the country would be to assume the offensive. I can understand that circumstances might occur when the naval authority might wish to take all his available forces of men and material for offensive operations, and that the success of those operations might, to a certain extent, depend on his being able to do so. The fact is, the duty of the Navy is to prevent an attack being made, while the duty of the Army is to repel that attack when it is made; and what we ought to aim at is to get the two Services in such a position that the one which has to perform a secondary duty should not endeavour to impose impossible conditions on the other which has to carry out a primary duty. The question has been under the consideration of the Government for some time past. The Secretary for War would be only too glad to be relieved of this anxiety, but he cannot assent to any proposal which would largely increase expenditure without some corresponding benefit accruing. It will not do to say that the increase in the Navy would be counterbalanced by a decrease in the Army. The expenditure is certain; but the saving, especially where there are a number of officers and men with claims to pension and emolument is problematical. Now, in the Statement which I have laid before the House, I have pointed out that we shall shortly have to establish a new station in the South Pacific, probably the Falklands, and we shall make an experiment there on a small scale. That will be garrisoned by Marines. I shall look into the question as to whether it is possible to try the experiment further; if it is, the next place will be the China stations. I will further undertake that no change is made of a character which would increase the impediments or the obstacles to a transfer. I wish that the question could be discussed in no spirit of jealousy or rivalry between the Services; and I may add that the matter which at first made the most impression upon me was that the country did not get its full benefit from that magnificent force, the Royal Marines. With regard to the question raised by the hon. and gallant Member for Devonport—that of promotion from the ranks—every one will sympathise with the object which he has in view, but I do not think the hon. and gallant Member has quite faced many of the difficulties which such a proposal involves. In the Army the system is possible, and has worked well; but every essential condition, relating either to entrance, to pay, or to promotion, which exists in the Army is absent in the Navy. In the Army as a man rises from the ranks through the various grades of a non-commissioned officer to a commission, his pay continuously rises; but in the Navy warrant officers receive considerably higher pay than cadets, midshipmen, or sub-lieutenants. Therefore, it is not possible to promote from the ranks except by passing over a considerable number of commissioned officers who have entered in the regular way and who have complied with conditions which those put over them could not comply with. Then there is the difficulty of retirement. A warrant officer, as a rule, is 8 or 10 years older than a lieutenant on entering, so that at the age of retirement the State would get eight years' less work out of the former than out of the latter. There is also the difficulty of half-pay. I have a little personal experience of these difficulties. In 1887, which was the year we promoted the most capable warrant officers to the rank of lieutenants, I had the greatest difficulty in finding appointments for them which would not put too heavy a strain on their financial resources. As regards the social difficulty, I do not think it exists. Naval officers always welcome men of ability who are promoted to associate with them on terms of equality. Where the social difficulty does arise is in the standard of living. You cannot avoid that; therefore, I do not believe it would be to the benefit of the persons proposed for promotion or to the interest of the Service that anything like a wholesale promotion should be made from the ranks. But I sympathise with the wishes which my hon. Friend has expressed. There are naval men of great authority who think that if promotions were made for seamen, they should be made from smart petty officers, who could go to the lowest ranks of commissioned officers at an early age. If you promoted petty officers over the heads of warrant officers, you certainly would create a great difficulty. On the whole, I certainly think it better to leave well alone. Sailors, after all, form only part of the number on board ship. You have stokers and others; and there is no reason why a stoker should not become an engineer; and there is no reason why, according to that, if you dispense with examinations, a steward should not become a doctor; so you could go right through the roll, with the result that you would land yourself in troubles from which extrication would be very difficult. I have answered all the questions put to me, and I hope the Speaker will now be allowed to leave the Chair, especially as hon. Members will have an opportunity of discussing these matters on Vote A and Vote 1.

*(8.20.) Mr. SHAW LEFEVRE (Bradford, Central): Sir, I think the hon. Member for Kilkenny ought, on the whole, to be satisfied with the discussion. For my part, I am perfectly satisfied with the limited promise which the noble Lord (Lord G. Hamilton) has made. I understand the noble Lord is prepared, in respect of the Falkland Islands [Lord G. Hamilton indicated assent], and other naval stations to which the hon. Member for Kilkenny adverted, to try this experiment. My hon. Friend did not at all contemplate its application at present to Gibraltar and other large and important stations, because there might be grave difficulties to such a scheme. But in the case of coaling stations of no great magnitude, I think the experiment might fairly be made, and I cannot doubt it would be attended with great success. It does not seem to me that any additional expense need be incurred, inasmuch as there would be about the same number of men to support, and it would be merely the transference of the duty from the one Service to the other. I think the difficulty of that transference is one of the evidences of the want of harmony between the Services, and indicates that there is something wrong in the present system. The real fact is, that a transaction of this kind ought not to be attended with an increase of expenditure. I hope, therefore, that the noble Lord, in any change which he makes, will do his best to prevent any increase of expenditure. That there is difficulty in time of peace, and danger in time of war, under the present system no one can doubt. Nobody who has read the evidence taken by the Royal Commission presided over by the noble Lord the Member for Rossendale, and the Report of that Commission, can doubt that for a moment. I think, therefore, that at the earliest possible moment some experiment in the direction indicated by my hon. Friend should be made by the Government. For my part, I am satisfied with the statement of the noble Lord, and I hope the experiment will be made very shortly, and that every effort will be made to give it a good start. With regard to the other question referred to by the noble Lord, I cannot but think that it would be wise, having regard to the general condition of the Service, to give the warrant officers greater hope of promotion. I do not understand the noble Lord to raise objections to the principle, but merely to the details. He seemed to throw cold water on the subject, and said on the whole it would be better to leave well alone. I think, however, that it would be wise if some action were taken—not, of course, anything like wholesale promotion, but still sufficient to raise the hope of warrant officers that they would have an opportunity of rising in the Service. (8.25.)

Question put, and agreed to.

Supply—considered in Committee.

(In the Committee.)

NAVY ESTIMATES, 1891-2.

1. 71,000, Men and Boys.

*(8.56.) Mr. DUFF (Banffshire): I should like to avail myself of the opportunity of a general discussion to congratulate the Board of Admiralty upon the energy with which they have persevered with the new programme. I think that the manner in which the new vessels have been turned out is very creditable to the Board and speaks well for its business capacity. But I feel that more might have been done in the direction of refitting and repairing some of our older ironclads. The hulls of many of these vessels are in good order, and it is the opinion of many competent naval officers that the *Northumberland*, *Minotaur*, *Alexandra*, and other vessels of that class might be rendered very useful at a cost of from £150,000 to £200,000. In fact, they might be made as good as the *Admiral* class, costing three-quarters of a million. I therefore quite approve of the policy of thus taking these ships in hand. With regard to the re-armament of the vessels of the *Devastation* class, I am glad to see by the statement that in all cases, with the exception of the

Rupert, the work has been satisfactorily undertaken. I may say with regard to the *Rupert* that if you are going to spend so much money on a vessel capable of going 14½ knots you might give her some better armament than a 10-inch muzzle-loader capable of penetrating 11 inches, whereas a modern breech-loader of the same weight would penetrate twice that thickness. And so with regard to the *Hercules*, *Achilles*, and *Superb*, and similar vessels. I do not think it worth while spending a large sum of money on them, unless you give them better armaments than the old muzzle-loader. It is very desirable that modern breech-loading guns should be substituted for the old muzzle-loaders on the ships still armed with these. I fear that there is still an insufficiency of heavy breech-loading guns at the disposal of the Admiralty; but it would be more charitable to suppose perhaps they think it right to wait for the perfecting of the new smokeless powder before they supply additional breech-loaders. I do not quite approve the official programme as to repairs. For example, I doubt whether it is wise to spend money upon the *Swiftsure* and *Satellite* and some of the other ships classed with her. When I come to the *Wrangler*, the *Racer*, and the *Starling*, I confess I do not at all understand the proposals of the Admiralty. The *Wrangler*, the *Racer*, and the *Starling* belong to about the most inefficient and obsolete class in the Navy List. The *Wrangler* and *Starling* are vessels that can only be depended to go about nine knots. They are hopelessly slow, and no money spent on them will repay the outlay. I do not think the so-called *Racer* ever steamed more than 11 knots, and I doubt if you can get nine knots out of her now, and yet on this vessel you propose to spend £6,447. The Admiralty are only going to spend £307 on her propelling power and machinery, so you cannot make her much faster. I should like to know what service you propose to employ her on. I cannot find in the Estimates what amount you intend to lay out on the *Wrangler* and *Starling*; but, assuming it to be about the same as on the *Racer*, you will be throwing away on this obsolete class some £20,000. In 1889, when the First Lord made his statement, he certainly led the Committee to believe that as the new ships were completed we would get rid of a number of the obsolete vessels which now encumber the Navy List. The torpedo cruisers and the *Pheasant* class were, it was understood, to take the place of the obsolete gunboats of the *Wrangler* class. But if the Admiralty intend, as seems to be the case, to retain on the Navy List the older and obsolete class, in addition to the new vessels they are building, then I say they are not dealing fairly with the House and the country. In his statement the First Lord said that he had some difficulty at the time of the mobilisation of the Fleet in officering and manning all the ships, and that to meet this he was endeavouring to reduce the number of officers and men in our non-fighting ships. But if this is his policy, then I am entitled to ask, What is the use of lumbering the Estimates with charges for the repair of the vessels I have been referring to—wretched, obsolete gunboats, too weak to fight, and too slow to run away? Unless some reason, not apparent in the Estimates, is given for this expenditure, I shall certainly move its reduction when we come to the Shipbuilding Vote. Passing from the shipbuilding programme to the Ordnance Department, I am very glad to see that the Admiralty are steadily moving in the direction I have so frequently urged in the House, namely, that the Admiralty should assume the entire control and custody of all naval ordnance stores. When I brought forward a Motion urging this course two years ago, it was rejected on the advice of the Secretary for War and the First Lord by a majority of two to one. I am glad to find that since then wiser counsels have prevailed, and, except on one important point, as I understand the present arrangements, they have practically conceded all I then asked for. The point I refer to is in regard to the ordering of the guns. This I understand is still to be done through the War Office. The reason assigned for this is the necessity for interchangeability between the two Services; but this is a totally insufficient reason. Interchangeability can be perfectly well secured if the Admiralty order their own guns direct from Woolwich, or from a private firm. It is the Ordnance Committee that insure interchangeability. I have never proposed to relieve the Committee of this responsibility. The Committee consists of military officers and engineers, and the Admiralty are represented by a naval officer. A gun is agreed upon suitable for forts and ships. The pattern of the gun and the charges are the same whether the gun goes to a man-of-war or to one of the forts at Malta. Therefore, so long as you retain the Ordnance Committee as designers of a gun adapted for both Services interchangeability is secured. Let me remind the House what the present system is, and I think they will see it is somewhat complicated. The Admiralty take the money for naval guns; they order and are responsible for their own gun mountings. They are in future to have the custody and charge of their own ammunition, but the Admiralty decline the responsibility for the gun itself. There is no doubt about this. The First Lord, in his statement last year, said—

> "The Navy speak on ordnance questions as users of the article supplied, but they are not responsible for the design or the manufacture of the weapon with which they are armed, except so far as gun mountings and torpedoes are concerned."

But if the Admiralty are not answerable for the gun, do the War Office accept the responsibility? On this point General Alderson, the Director of Artillery, is quite as explicit as the First Lord, because, in his evidence before Sir James Stephen's Commission, he said—

> "The Ordnance Committee are responsible for the design; but the Admiralty, not being obliged to accept a design of which they do not approve, become also responsible."

It thus appears that neither the Admiralty, War Office, nor the Ordnance Committee accept the responsibility for the design of a naval gun. Supposing the Admiralty insist on arming our ships with 110-ton guns. They are not satisfied with the present service qualities of that weapon, and they ask the Ordnance Committee to design them another pattern. The Committee may think, as most people now do, that a gun of this enormous size is not suitable for naval purposes. The Admiralty may reply that they, and not the Committee, are the best judges of this. The gun proves a complete failure. I am only putting a hypothetical case. Have the Admiralty no responsibility? It would be absurd to make the War Office responsible in such a case. If the Admiralty ordered their own guns, subject always to designs approved by the Ordnance Committee, they would relieve the War Office of a duty with which they have no right to be saddled; they would bring the Admiralty into direct communication with the manufacturer in all questions concerning gun mountings, and they are many; they would save a deal of useless correspondence now passing on this subject through the War Office; they would thus accelerate the delivery of guns, and they would limit the responsibility, at any rate, to the Ordnance Committee and the Admiralty. I should like to say one word about the supply of guns. In his statement the First Lord takes his usual optimistic view of the supply of guns, and he informs the Committee that "the satisfactory rate of progress has been maintained." He also dwells at some length on the number of breech-loading guns that have been delivered. Now the supply of guns between 4in. and 6in. in diameter has, I believe, been satisfactory enough; no complaint, so far as I know, has been made about them. It is in reference to the larger guns—over 9in. in diameter—that the great delay has occurred. Of these guns I maintain that we are still short. The noble Lord in his statement says that we have 1,410 breech-loading guns afloat. To hon. Gentlemen who have not looked closely into this subject, and no doubt to the general public, this may seem a very satisfactory statement; but, in regard to recent shortcomings in the delay of delivery of guns, it is not one which will bear a very close investigation. Out of the 1,410 breech-loading guns I can only make out 122 above 9in. in diameter. The first naval breech-loader was delivered in 1883. Up to the 31st of March, 1889, the latest Return I have been able to get, we had only in the whole Navy 68 breechloaders of the class I am dealing with. In the year 1890 the First Lord took credit for 27 guns, and he takes credit for an equal number this year, making 122. In his statement last year the First Lord told us that we wanted, to complete the old and new programme, 112 guns.

Well, if we go on at the present rate of delivery we shall not get the 112 guns required till the middle of 1894, and I understand most of the ships are to be ready in 1893. No doubt I shall be told that the rate of delivery will be accelerated; but I have heard this so often that I am getting a little sceptical on the subject, especially when I contrast our accomplished achievements in this respect with the promises which have been held out. It is always difficult to extract from right hon. Gentlemen opposite what their calculated output of guns is to be in the year. After a certain amount of pressure, the First Lord told me in August, 1888, that 45 guns above 9in. in diameter would be delivered by the end of the financial year—that was by March 31, 1889. Last year, after the close of the Session, I got the Return I had moved for, which it took the War Office six months to produce, enabling me to verify the accuracy of the First Lord's forecast. How many out of the 45 guns promised were actually delivered? Only 17! In 1889 the Secretary of State for War told us that up to the end of the financial year he expected to deliver 81 guns over 22 tons in weight. But on the 17th of last March he had a very different story to tell the House. Only 67 guns had been delivered, but these were not 22-ton guns, but guns over 6in. in diameter, and we have yet to learn how many of these were 22-ton guns. I should be glad to have the information. I think that the War Office have not kept faith with regard to these guns. There is one matter of considerable importance about which in his statement the First Lord has maintained a complete silence, and about which the country is getting very anxious, namely, the question of the 110-ton guns. After the repeated failure of the *Sans Pareil's* guns I should like to ask the Government what their policy is concerning these guns? The *Sans Pareil* guns were ordered as far back as 1886; they were promised in 1888, and now in 1891 the *Sans Pareil*, which has cost £800,000, is practically unarmed, as she has not got her principal armament. That is, in my opinion, a scandalous state of things. So far back as 1886, when I went to the Admiralty, there was a strong opinion in naval circles against these guns. The preponderating opinion of naval members of the Board was opposed to them. It may be asked, if that was the case, why we did not stop them. To that I have to reply that the time of the Board was then a good deal occupied about the *Collingwood* guns, and besides that when Lord Ripon came to the Admiralty he was not at all satisfied with the organisation of the Naval Ordnance Department, and he appointed a Departmental Committee to inquire into it. That Departmental Committee was sitting at the time the present Admiralty came into office, and we did not like to settle the large question of the 110-ton gun, until the large matter of the organisation of the Naval Ordnance Department had been settled. So impressed was I with the opinion of my naval colleagues in 1886 that as far back as 1887 I pressed the First Lord of the Admiralty to give up the 110-ton guns on board both the *Victoria* and the *Sans Pareil*. My reason was that the then Controller, Sir William Graham, had impressed me with the impolicy of putting those guns on board a ship, and I urged the First Lord very strongly to give up the 110-ton guns, and to substitute for them 67-ton guns.

*Lord G. HAMILTON: Did you ascertain what it would cost?

*Mr. DUFF: I remember the noble Lord replied that the 110-ton guns were ordered, and to counter-order them and to alter the fittings of the ships would be a very costly process; but, for my own part, I think that the course persevered in will turn out in the end the more costly of the two. I am perfectly willing to admit that the position of the First Lord has been an embarrassing one; and two things have happened since, which, had they been known at the time, might have influenced his opinion, and caused him to arrive at a different decision. The first of these is that experience has proved the 67-ton gun to be a most efficient weapon, and the second is that further experience has proved the 110-ton gun most unreliable. But what I want to know now is what the Admiralty intend doing in the future. Would it not be better even now to replace the 110-ton gun with the 67-ton gun? I am not prepared to say what the cost of the change would be; but if you are going to spend £800,000 on what is really a gun carriage, it would be cheaper to spend £100,000 than to have guns which are of no use to you. Nothing can be more extravagant than to spend £800,000 on a ship, and then put in guns you are afraid to fire.

*Lord G. HAMILTON: May I ask the hon. Member on what authority he makes the statement that we are afraid to fire these guns? It is rather an important matter, and statements have appeared in the Press on the subject.

*Mr. DUFF: I simply want to say this: You have fired the guns on board the *Benbow*, but you have not been able to reproduce those guns, and you have not a gun you can put on board the *Sans Pareil* that you can fire with any confidence. It is public property. Everyone has read the published accounts of the trials. But even if you can fire these guns, I am prepared to say that even on the First Lord's own showing the 67-ton gun is a better weapon. For my own part, I contend that even now, in spite of the expense, it would be far better to put 67-ton guns on board these vessels than to go on with the 110-ton guns. In his Statement this year the First Lord tells us that the *Trafalgar* fired four rounds from her 67-ton guns in nine minutes and a half. I doubt whether the 110-ton guns after the first shot could fire two rounds in 10 minutes; and certainly it could not go on at that rate. The 67-ton gun in the four rounds would throw projectiles weighing 5,000lb.; whereas the two shots from the 110-ton gun would only represent 3,600lb. It is true that the 110-ton gun is capable of penetrating 33 inches of iron and the 67-ton gun only 27 inches at 1,000 yards, but as no ship afloat, I believe, carries more than 23 inches of iron, the 67-ton gun would do all we require. These guns need not be wasted if they are handed over to the Secretary for War. In his large schemes of Imperial defence the right hon. Gentleman will, no doubt, be able to find a more suitable place for them than on board one of Her Majesty's ships. I see that Admiral Sir George Elliot has an article in one of the magazines, advocating the fortification of the Scilly Isles. That in many respects would be a suitable place for the 110-ton guns, and there would be lots of sea-room for practice. But, in any event, you ought to get rid of these guns out of the Navy. You are saddled with them in the *Benbow*, but you ought to get rid of them elsewhere. If you have got the guns for the *Sans Pareil* why do you not put them on board the ship, and let the gunners try to fire them? I have not heard much about the *Victoria* guns. It is our business in Committee to look into these questions, and there appears to me to have been a scandalous waste of public money after keeping ships waiting for their armaments. After all that has happened, I think we are entitled to some explanation on these points. As to the promotion of warrant officers to the quarterdeck, that is a very difficult and delicate subject. I do not think any commanding officer would care to trust the safety of his ship to a navigating lieutenant who had never had any practical experience in navigating. I do not see how, at the present time, you can open promotion to warrant officers to the rank of captain. With every desire to assist warrant officers and to do what might be a popular thing, we must give the first consideration to the interests of the Service. Having said that, I must confess I think it is unfortunate that we have not at the present time any connection between the quarterdeck and the forecastle. Warrant officers used to get their sons educated at Greenwich School and passed into the Navy as masters'-assistants mates, from which rank they were promoted to the quarterdeck. I think the Admiralty would do well to revive Greenwich School as a school for warrant officers' sons, and in that way establish a connection between the quarterdeck and the forecastle. I do not gather that that would satisfy the hon. and gallant Gentleman, and indeed his recommendations were not very definite, but I commend this suggestion to the attention of the Admiralty. I am sorry to have detained the Committee at some length, but I hope I have touched upon matters that deserve explanation, especially in reference to the 110-ton guns.

(9.35.) Admiral FIELD: It is with considerable diffidence and hesitation that I follow the hon. Gentleman who has just spoken. The main part of his speech was an attack upon the Government in respect to matters for which they are not responsible, and for deficiencies due to the Government of which the hon. Gentleman himself was a Member.

MR. DUFF: Long before I had anything to do with the Admiralty.

ADMIRAL FIELD: Everyone is aware of the miserable condition in which things were left by that Government, not only as regards the Navy, but the coaling stations; and it is rather hard for the hon. Gentleman to present an embodiment of virgin purity on behalf of his late colleagues to attack the present Board of Admiralty. It is notorious, the country knows it, the Press of the Kingdom has rung with it, articles upon articles have shown how six line-of-battle ships were kept waiting for their guns by the Government of which the hon. Gentleman was a Member. Yet the hon. Gentleman has the hardihood to speak with righteous indignation of the misdoings of a wicked Tory Government, and accuses them for deficiencies for which the colleagues of the hon. Gentleman are really responsible. The hon. Member found fault with the Admiralty and the War Office because the Admiralty have not got an absolute control of the making of the guns. The hon. Member assisted myself and others in a work that has been of some service—the transfer of the Vote for Naval Ordnance to the Navy Estimates. Year after year we endeavoured to bring about this transfer. In 1886 the Vote for guns was transferred from the Army to the Navy Estimates, and that transfer involved changes of very great magnitude and difficulty. I fail to see why the Admiralty should not get their guns from the War Office if they got them as good there as elsewhere. It was a great responsibility for the Department to take over the control of this one and a quarter millions of money. It is well, surely, to provide our Woolwich operatives with plenty of work if we can get good guns from the War Department; but it is equally open to the Admiralty to avail themselves of the Armstrong firm, Whitworths, and others. As to the 110-ton gun, we none of us like it, but I believe it was ordered by the late Government. But having the ships ready and the gun carriages, surely it would be the height of folly not to use them out and then have no more of them. But I will not further follow in the path pursued by the hon. Gentleman. I turn to matters in the Memorandum issued by the noble Lord, in which naval men take deep interest. I do not like the First Lord's statements in the Memorandum as to the manning of the Fleet. It seems to me the Admiralty are almost afraid to face the question of the increase in the *personnel* of the Navy, and are taking refuge in an untried Naval Reserve. The noble Lord says—

> "An investigation into the actual duties which engage the Naval Service shows how large a proportion of officers and men are locked up in training establishments and educational courses, and in performing subsidiary work, such as surveying and transport of troops, &c."

Well, I do not consider this is subsidiary work. Surveying has ever been an important work in the Service, and I hope will continue to be, and the transport of troops is work in which Her Majesty's ships may be usefully occupied in time of peace, and I hope it will not be changed. Then the noble Lord goes on to say—

> "At the time when the ships in commission were insufficient to give adequate work and training to the officers and men of the Fleet, such employment was judicious: but when the number of fighting vessels is so increased as to be more than able to employ and train the peace establishments, the employment of very highly trained and instructed men in work of so secondary a nature is a waste of power."

I do not call it work of a secondary nature or a waste of power. Further, the noble Lord says—

> "I am, therefore, taking steps to reduce as far as I can the number of officers, men, and boys afloat in non-fighting vessels,"—

all very right, so far as it goes. Ships in harbour, I suppose, are meant—

> "and at the same time, to shorten the general course of study for officers at the Naval College, and of gunnery and torpedo instruction for all but those who show special aptitude and ability."

I hope I do not read in this an intention to shorten the course of study. The words may cover much or little. Of course, I do not want men to go on studying gun and torpedo service when they will not be in that branch of the Service. Then I come to the words in which the First Lord seems to contemplate an addition to the *personnel* of the Service, and yet seems afraid to face it—

> "In looking ahead to the increased demands which the gradual completion of the new shipbuilding programme will make upon our manning resources, I have endeavoured to keep in view and combine certain definite objects. It seemed to me to be quite unreasonable to expect that the whole of the extra force required to man, three years hence, our greatly increased Fleet should exclusively consist of officers and men on the permanent establishments of the Navy, of continuous service, and entitled to pension. I was, therefore, anxious to associate the increase of the permanent establishments with a steady growth in the numbers and efficiency of the Royal Naval Reserve. The additions which have been made to the *personnel* of the Navy since the Naval Defence Act was passed have been large. Vote A stood at 62,600 in March, 1889. It has now reached 68,800, and I propose to raise it to 71,000 this year, and gradually to work up in subsequent years to a total of 75,000."

Now, no time is fixed for the increase to the maximum of 75,000. If we are to wait until the ships are built, then I reply the men will not be ready for the ships. You cannot make seamen in two years. The noble Lord is very properly going to establish a new training ship, but you cannot, I say, make seamen in two or three years. Therefore, it seems to me from the attention I have been able to give to this Memorandum, that the Admiralty have not faced this question of an increase in the *personnel*, but are relying too much on the Naval Reserve, as to whom there is this paragraph in the Memorandum—

> "The sufficiency of my proposals entirely depends upon how far the Royal Naval Reserve is a reliable auxiliary force upon which the Naval Authorities can in emergency lay their hands with confidence."

But are we to wait until war breaks out until we discover whether reliance is to be placed on the Reserve? Will the noble Lord do as his predecessor did in 1869 when the Reserves were called out by notice? The retention or abolition of the Reserves depended upon the result of that call, and the result was most praiseworthy. I forget the percentage, but the men of the Royal Naval Reserve responded to the call in very large numbers, practically all we may say who were in the country, and went afloat in the reserve squadron, and upon a rare occasion the right hon. Gentleman opposite (Mr. Childers) flew the Admiralty flag. The call was a success then. If the noble Lord has any doubt now, let him repeat the experiment. Let him call out the Reserves this summer, and with a proper proportion of men-of-wars men let them man the ships if they rally to the call. But if there is any doubt, do not let us place a reliance where we may meet with failure in the hour of trial. The noble Lord is bound to test whether we can have confidence in the Reserves or not. The additions to the number of men and boys this year are satisfactory so far as they go, but I am sorry no addition is proposed to the force of Marines. I trust that steps will be taken to secure proper training for stokers. I am glad to see that there is to be an increase of Naval Reserve officers. With the claim of warrant officers for promotion I have no sympathy. I do not want to say anything about it, and I am sorry it was started; but, being started, I am glad it has met with the reception it has received. It is, I think, an unwise proposal, and would be of no advantage to the Service. The changes on the South African station will, I think, be viewed with gratification by naval men. I shall be glad to hear from the noble Lord as to the chief petty officers, who have had no increase of pension in proportion to their increase of pay. It is perhaps a small matter, but it has been promised that it shall be considered. I have seen a report in the papers that the Admiralty have granted it, but the petty officers themselves are uncertain. There is another small grievance on the part of majors of the Royal Marines and the Marine Artillery. They claim that they should be put in the same position as majors in the Sister Service. There is at present a difference of a year in the period after which extra pay is allowed; in the Army it is two years, in the Marines it is three years. Then I must refer to the dock accommodation, or want of it, at Bombay. For years past I have called attention to this subject—ever since I visited Bombay and saw the necessity for a dock there. And then when I saw a flagship for the Indian Station coming from Bombay to be docked at Malta, I said I would be unceasing in my efforts to get such a gross scandal remedied. We have been three years at it, and at last the Admiralty seem willing enough to undertake the work. I do not think the Admiralty are now to blame; I understand that the objection comes from the Treasury. But the Admiralty have no right to claim credit for the dock accommodation now provided at Bombay. It is no information to naval men. We have been aware of it for some time, and I may say that naval men do not approve of the dimensions of the dock. In any case, it is not the Imperial Government that can claim any credit for it, but the Bombay Trust, and they have done fairly well with the means at their disposal. I am very glad, indeed, to find that communication is to be made between the Admiralty and signal stations round the coast. If that were the only result from the late manœuvres, the expenditure would have been quite justified. One more question I should like to ask, and that is, "When will the dock at Malta be finished?" (Dock No. 4). This closes the subjects on which I have to speak at the moment. Some of them may seem of small importance; but they are of importance to naval men. I do not intend to now go into larger questions, upon which a great deal more might be said.

*(9.55.) MR. SHAW LEFEVRE: I wish to say a few words on the finances of the Navy. Last year I pointed out that the Estimates as they stood for the Army and Navy were utterly unreliable, and that they gave no real indication of what the expenditure would be. My statement that the expenditure would be £6,000,000 more than appeared on the Estimates was denied at the time by the noble Lord at the head of the Admiralty and by the Secretary of State for War. But a Return subsequently laid on the Table of the House by the Chancellor of the Exchequer showed that I had understated the figures. The estimates for the two Services provided for £31,000,000; but the expenditure, under various subterfuges, shifts, and devices, reached £38,320,000, a difference of £7,000,000. When I come to the present year I find very much the same thing. We have an additional cause of confusion arising from a Supplementary Estimate. I have no hesitation in saying that this Supplementary Vote is for the purpose of relieving the Vote of the present year. It cannot be supposed that last year there was an under estimate of £350,000. I have no doubt that the purchase of armour plates and other materials has been hastened in order to relieve the Estimates of the coming year. In my experience that course was never permitted by the Treasury, and Supplementary Estimates were only allowed in the case of some unforeseen work having to be undertaken. The actual expenditure contemplated in the Estimates for the coming year upon the Navy is £14,215,000, but in addition to this there will be an expenditure under the Naval Defence Act of £3,400,000, and out of unexpended balances £140,000, and I understand a further expenditure out of the unexpended balances of previous years of about £300,000 more. When I come to the Army I find much the same state of things. The expenditure on the Army under the Estimates will be £17,897,000; but beyond this there would be an expenditure of £600,000 on fortifications, £300,000 on armaments under the Imperial Defence Act, whilst the Financial Secretary to the War Office told me he thought it probable that the expenditure under the Barracks Act would be between £400,000 and £600,000. Adding these various sums together, I find that the total expenditure on the two Services in the coming year will amount to no less a sum than £37,800,000, out of which only £32,000,000 appear on the Estimates of the year, £1,400,000 will be provided by the Consolidated Fund, £700,000 will come under the Imperial Defence Act, £600,000 under the Barracks Act, £3,440,000 under the Naval Defence Act for ships building by contract, and £500,000, I believe, out of the unexpended balances of former years. I say that, by providing for the expenditure in this variety of ways, you altogether destroy anything like financial control, and make the Estimates of the two Services absolutely unreliable as an index of what the expenditure within any financial year will be. I should like to call attention to what the real increase of expenditure has been in the two Services as compared with past years. I find that the average for the 10 years ending 1884 in the two Services was £25,000,000 a year. In 1884 it rose to £26,700,000; in 1889 it rose to £29,790,000; and in the coming year the amount will be £32,000,000 on the ordinary Estimates, and, besides that, there will be an

expenditure provided for in the course of the last three or four years under the Naval Defence Act, the Imperial Defence Act — for fortifications, armaments, barracks, and ships—of £17,000,000. Therefore, there has been an increase on the ordinary Estimates within the last four or five years of £5,500,000, and a further and extraordinary expenditure provided for amounting to no less than £17,000,000. That appears to me to be a serious increase, and the only way to check it in future, in my opinion, is to insist on the payment of the expenditure for the year within the year. It is only in that way that the increase in the expenditure can be continually brought home to the House and the country. In 1879 the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) made a most vehement protest against the addition of extraordinary to ordinary expenditure. He said—

> "The cause of economy was unpopular enough at all times. Even when increased expenditure meant increased taxation it was difficult enough for its advocates to make way; but when increased expenditure did not mean increased taxation, but only the accumulation of burdens in the future, where, he should like to know, would be the cause of economy? The payment of taxes acted as a sobering force on our national policy. It sobered those who had to impose the taxes and those who had to pay them."

It seems to me that those words of the right hon. Gentleman are exactly applicable to the present state of things and to the expenditure which the Government is now incurring. The general effect of the Naval Defence Act, the Imperial Defence Act, and the Barracks Act has been to postpone payments which ought to come within the financial year and to throw the burden on the future. It seems to me that the main object of all these transactions has been, in the first place, whilst expending considerable sums of money on the Army and Navy, not to increase the apparent burdens of the country; and, in the second place, to conceal the real expenditure of the country, and at the same time to claim credit for not largely increasing the Estimates, and to enable the Chancellor of the Exchequer to claim a surplus when there has really been no surplus. I believe that if in the current year you had provided sufficient money to meet the expenditure within the year there would have been not a surplus, but a deficit. What the position in the coming year may be I do not know, but I think that in all probability there will be very little surplus, even taking into account all these payments. If they were made within the year, not only would there be no surplus, but there would be a large deficit. These considerations appear to me to be very weighty ones, as bearing on the continually growing expenditure of the country. My belief is that that expenditure will always grow unless we lay down as a matter of principle that the expenditure for the year is to be borne by the taxation of the year. That is the only real check that can be imposed on expenditure of this kind. With regard to the actual proposals of the Government for the year, I find that the increase on the Votes is about £350,000, after making certain deductions. Of this, £126,000 is due to the Wages Vote; but there would have been a still greater increase of payment under the Wages Vote if it had not been that there are for the first time considerable payments made to the credit of the Vote out of the contract with the Australian Colonies, and also payments coming from the Indian Government. Taking these two items into account, there would have been a further increase of no less than £130,000. I am unable to trace to what this large increase on the Wages Vote is due. No doubt there is an increase of 2,200 men to the Navy, but that only accounts for £80,000. I may here remark that I do not consider it at all satisfactory that this increase in the number does not include a single able seaman, but is composed of 900 boys, 412 pensioners, and 764 who are engineermen. To my mind, it is open to objection that an addition should be made to the number of pensioners employed in active service. I know that when the Chancellor of the Exchequer was at the head of the Admiralty it was his policy to discourage very much the entry of pensioners into the Service. By that system you have side by side men performing similar duties, some of whom receive pensions for length of service in addition to their pay, whilst the others receive only their pay. And, after all, these 412 pensioners are no real addition to the strength of the Navy, because under any circumstances they would be bound to serve in time of war, and form, in fact, a kind of reserve. This addition really means a calling up of men from the Reserve to act as seamen in the Fleet, and I do not think that a desirable process. What is the cause of the increase in the number of men which has been going on for some years? Ten years ago it was not thought desirable to add to the number, as there were so many men at the home ports. I take it that the increase in the *personnel* is due to the increased number of ships on the foreign stations. I have no objection to the increase which has been made on certain stations in respect to very powerful vessels; but what I do think is open to consideration is whether, when we are making these additions to our foreign squadrons, we should not reduce the number of the smaller class of vessels which are really of no great use for war purposes. We have many of the latter class—vessels which steam at a small rate of speed, and which in time of war would not add to our strength, but would fall an easy prey to the enemy. On this point I would like to quote from one of the ablest writers on naval subjects in France. M. Weyl, in his work on *La Marine Francaise*, says—

> "The Colonial Powers, and England more than any others, have numerous ships maintained for the empty purpose of exhibiting the national flag in distant seas, which are useless in a fighting sense Such vessels may inspire the negro with awe, and gratify Englishmen by displaying their flag in foreign ports, but on the first alarm of war they must disappear from the seas."

Again, my noble Friend Lord Brassey, with reference to the withdrawal of vessels from our foreign squadrons, says—

> "The policy should be to replace as far as may be the permanent squadrons abroad by flying squadrons, and to keep in commission a less number of ships of an efficient type in lieu of the inefficient ships hitherto maintained. An occasional visit to foreign ports by an effective foreign squadron always makes a telling impression."

Without going the length of saying that all our foreign squadrons should be replaced by flying squadrons, yet I cannot but think that the demand for seamen might have been met to a considerable extent by reducing the number of very small vessels on the foreign stations—vessels which are practically of no great use for war purposes, and which really seem only to be used for the purpose of showing our flag in the manner described by M. Weyl. I should like to ask the noble Lord to state at some greater length what is the real nature of the operation he is going to perform in respect of the squadrons on the West Coast of Africa and the North-East Coast of America. Perhaps the noble Lord will also inform the Committee whether St. Helena will be the new station on the West Coast of Africa, and also whether it is proposed to make any addition to the number of ships employed in that squadron. The noble Lord states in his Memorandum that Ascension Island will be the centre of the new station. Last year I brought under the notice of the House the subject of Ascension Island, showing to the best of my ability from high authorities that St. Helena is a far better station than Ascension; and I propose, at a later stage of the Estimates, to raise the question again this year. The subject was discussed late one night at the end of last Session, and the House will recollect, perhaps, that the discussion came to an end through an extraordinarily irrelevant speech made by an hon. Member, which induced the Deputy Speaker to allow the Closure to be moved as a means of putting an end to that speech. I shall propose to bring the subject on again when the Victualling Vote is before the Committee. In the meantime, I would merely ask the noble Lord to say what the increased establishment on the island will be, and whether there will be an addition made to the vessels on that station, and also what the cost of making a new station in that part of the world will be? In conclusion, I would only repeat that, in my opinion, the continual increase of expenditure both on the Army and the Navy can only be checked by bringing the burden of that expenditure on the taxpayers within the year.

*(10.26.) THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): If I might venture to offer a suggestion as to the best mode of keeping down the expenditure of the Army and the Navy—certainly of the Navy—it would be to follow a directly contrary policy to that adopted by the right hon. Gentleman who has just spoken when

he was Secretary to the Admiralty. In the three years during which the right hon. Gentleman occupied that responsible position the expenditure on new construction fell to about the lowest ever known in recent years. The result of allowing the expenditure in any year to fall so far below that which is necessary to maintain the Fleet——

*MR. SHAW LEFEVRE: I would remind the hon. Member that the right hon. Gentleman the present Chancellor of the Exchequer was at the head of the Admiralty at that time.

*MR. FORWOOD: Whoever was at the head of the Admiralty during those three years, the fact remains that an abnormally low rate of expenditure involves an increased expenditure in future years, and disturbs all calculations either as to taxes to be laid or as to the condition at which the Navy ought to be maintained. The right hon. Gentleman has stated that our Estimates are unreliable as to the total expenditure, and that we are providing the money by devices and subterfuges. The devices and subterfuges are Acts passed by Parliament, and every sixpence we have spent has been based upon proposals approved by the House. The right hon. Gentleman says it is clear to his mind that the Supplementary Vote is taken for the purpose of relieving next year's Estimates. I assure the right hon. Gentleman that it is nothing of the sort. The Supplementary Vote of £350,000 is required for the expenditure of this year. I will explain shortly the reason of it. We are administering the programme of new construction under an Act of Parliament that very properly is very rigid, but at the same time very difficult. In interpreting that Act in connection with the preparation of last year's Estimates, we anticipated that certain sums, savings that had been paid into the bank, would have been placed at our disposal during the past year. But they were not; and in lieu of those savings the Admiralty have to ask the House for the Supplementary Vote of £350,000. Whilst we ask for that sum, the House will see that we have a considerable sum of money at our credit. Whilst we ask the House for £350,000, we have no less than £540,000 at our disposal in the Bank of England, available, under the Act, for expenditure in future years. I cannot follow the right hon. Gentleman in his figures, seeing that he mixes the Army and Navy expenditure together. I am here to answer for naval administration, and for expenditure under the Naval Defence Act. I think it will be seen that we have kept very closely in our expenditure to the Estimates we have laid before the House. I will give one or two figures to show what have been our performances compared with the statements contained in our Estimate. We estimated that in our statement of March 1889-90 our expenditure would be £1,290,000 on the new programme; whereas we have really expended £1,183,000. We estimated for 1890-91 that we might spend £2,394,000; whereas we really expended £2,386,000. It was estimated that the expenditure for the coming year would be £2,560,000; whereas, in fact, the amount actually provided for in the Estimates is £2,524,000. In order to complete the new programme, it is estimated that for the next two years the expenditure will amount to £2,390,000; whereas it will amount to £3,300,000, or an excess of £1,000,000. Of this over £300,000 is due to the cost of unexpected alterations and improvements which had to be made in vessels under construction, leaving the sum of only £600,000 in excess of the original Estimate of the cost of ships and armaments under the new programme of contract and dockyard work. This excess I claim to be a very small one on an original Estimate of £22,000,000 for the construction of new ships and armaments, and it certainly compares very favourably with the excess on the estimated expenditure under the programme of 1885 of £8,000,000 of money when the excess was something like £750,000. The right hon. Gentleman opposite has twitted my right hon. Friend the Chancellor of the Exchequer with not having provided the funds necessary for carrying out the programme year by year. Now, as regards the shipbuilding programme, the full cost of the ships built in the dockyards has been provided year by year out of the Revenue as acquired, and by the end of the present year we shall have spent in carrying out our programme something like £7,800,000, or at the rate of £2,600,000 per annum for three years. Therefore, the remarks of the right hon. Gentleman opposite can only be made applicable to the case of the contract ships, which are regarded as being outside the normal building Vote. These were required to make up the strength of the Fleet to the necessary point which in previous years a false economy has allowed to fall below the actual requirements. Of the £10,000,000 required for the construction of vessels by contract within the period allowed, no less than £7,000,000 will be provided in the five years, leaving a little over £2,000,000 to be provided from the Revenue of the two following years, so that out of the £22,500,000 to be expended under the Naval Defence Act for the construction of new ships and armaments, no less than £20,500,000 will have been provided for out of the taxation of the current years. I claim, therefore, that I have thus shown that the provisions of the Act have been well and wisely administered, and that Her Majesty's Government are not open to the charge either of not having kept within their promises as to their programme of expenditure, or of having constructed a large fleet of ships without paying for them out of the taxation of the country. The hon. Gentleman opposite the Member for Banff (Mr. Duff) and the hon. Member for Cardiff (Sir E. Reed) have congratulated the Admiralty on the progress they have made in carrying out their programme, and their remarks have emboldened me to make the statement I have just made with regard to the work we have done. Both those hon. Members have pointed out very properly that the rate at which Her Majesty's Government have pushed on the construction of the various new vessels has been of material benefit in reducing the cost of the ships; comparing their cost and the estimates made of them to the cost of the ships built under the former system, I think it will be seen that a great saving has been effected, and that whereas formerly the cost was about 20 or 30 per cent. over the Estimates, as a normal state of things it does not now exceed 3 per cent. The hon. Member for Banffshire alluded more especially to guns and ships of the old ironclad type. I may state that we have within the last two years done much towards making the old ironclads fit to take their place, in case of emergency, in the second line of Naval Defence. Some of these vessels which naval officers have thought worth the cost, have been re-engined, re-boilered, and re-armed, while those which are not quite so up to modern requirements have had new boilers put into them, and no doubt will serve as excellent vessels for defence around the coasts of this country. The hon. Gentleman opposite stated with regard to the armament of the old ships that we were not re-arming the *Rupert*. The fact is, however, that she is to be armed with breech-loading guns. The hon. Gentleman added that he regarded this as a proof that we were short of heavy breech-loading guns, and he stated that although my noble Friend takes credit for having over 1,400 breech-loading guns, the majority of those guns are the 4·7 inch and 6 inch guns. Undoubtedly, Sir, guns of these calibres must be the majority, because where a ship now carries two, or, at the most, four, heavy guns, she will have, in addition, from 10 to 16 guns of a smaller calibre. I think the hon. Member said there are only 67 nine-inch guns.

*MR. DUFF: I said there were only 68 nine-inch guns in 1889, but that since then 27 were added last year, and an almost equal number this year, making altogether 122 guns of the nine-inch calibre.

*MR. FORWOOD: But that statement refers to a period some time back. What I say is, that we have now already delivered, mounted, or in reserve, 163 guns of eight-inch calibre and upwards.

*MR. DUFF: I referred to guns of over nine-inches diameter.

*MR. FORWOOD: The hon. Gentleman spoke of two years ago, and I was dealing with the figures given by the noble Lord the head of the Admiralty. I can assure the hon. Member that the construction of the heavier guns for the ships in the programme is proceeding as rapidly as possible. The hon. Member also dealt with the 110-gun, and suggested that we should condemn that gun. Does the hon. Member realise the fact that in condemning that gun we shall be condemning all the fittings for the gun and the gun-carriage itself, which, in point of fact, is the ship which carries it. In doing this we should be wasting a very large sum of money. I doubt if the hon. Member is aware of the cost involved in the alteration of one of the new ships from its adaptation to the 110-ton gun to that of say two 67-ton guns. According to the information we have on this point this could not be done for a much less cost than £200,000, inasmuch as it would involve almost a complete reconstruction of the vessel in all its fittings, carriages, and everything else which adapts it to its intended purpose, besides which it would take at least two years to make the new guns, and to re-construct and re-fit the ships. I can hardly think the hon. Member is prepared to suggest that the three ships which carry these heavy guns should be re-fitted with other guns at a cost of £600,000. We maintain that the 110-ton guns are good and efficient weapons, and those who are able to form the best opinion on the subject say there is nothing to impugn their safety or power of penetration. We have the *Victoria* and the *Benbow* with these guns on board, and so far no complaints have been made. With respect to the armament of the *Sans Pareil*, one gun had been proved and fitted and another is in the course of proof. But even supposing that one of the 110-ton guns of the *Sans Pareil* does not pass proof, two more are to be delivered next month, either of which can be placed on the *Sans Pareil.* Although the Admiralty admit that the 67-ton guns are the better, it would be a mistake to displace the 110-ton guns already mounted; and, as a matter of fact, these 110-ton guns were not first adopted when the present Government was in office, but by its predecessor. We have endeavoured loyally to carry out the policy assigned to us, and we have placed on the ships those guns intended for them. As regards smaller vessels, no one could be more opposed to the multiplication of small vessels than the First Lord of the Admiralty. The policy of the Board has been to replace smaller with larger vessels whenever practicable; but a certain number are needed for the demands of the Service, and so the *Racer*, a well-armed vessel, was launched in 1884. She has breech-loading guns on board, and is fit for many purposes. It is better, moreover, to spend money in refitting the two other small gunboats which had been referred to for the services they are required to perform than to spend a greater sum in building new vessels at an extra cost. I trust I have now answered all the points raised by the right hon. Gentleman.

(10.50.) Sir E. J. REED: I am rather surprised that the hon. Gentleman took so much to heart the observations of my right hon. Friend, who spoke of the subterfuges by which the actual expenditure has been brought down to a nominal point; because everybody must know that the old form which was adopted for the purpose of making public the great increase of the Navy, and involving the inclusion in the aggregate amount of the current expenditure of the following five years, was in itself a colossal subterfuge, though fortunately one we all clearly understand. If the Government, when they proposed the scheme for adding to the Navy, had put it before the country in two parts, one as relating to mere normal expenditure sanctioned by Parliament, and the other as an excess of expenditure to constitute an actual increase over and above the normal expenditure, it would not have been open to the objection that has been raised. I am bound to say that there is a very great deal of force in what my right hon. Friend has held as to this House of Commons losing control over the expenditure, because of its being brought in so many forms in excess of the Estimates for the year. I am satisfied that a few years hence it will be difficult to trace the present progress of the expenditure on ship-building, and it will be found, owing to the present system, almost impossible to extricate it from its confusion. At the same time, I must say that I, for one, care less about the form of these things than about the substance. As I have already stated, I think the redeeming feature of the Admiralty policy with regard to excess expenditure has been that they are doing their very utmost, and with marked success, to carry out the promise which they made to the House. That is, after all, a great point. My hon. Friend the Secretary to the Admiralty has made reference to the enormous saving resulting from that policy—an actual saving in outlay upon the ships, which results from a quicker and more energetic construction, and the saving of the interest during the progress of construction upon capital that would lie idle while awaiting the adoption of a policy. From whichever side of the House that policy has come, it is deserving of the utmost credit. With regard to the suggestion of my hon Friend the Member for Banffshire that 68-ton guns must be substituted for 110-ton guns on certain ships, I was annoyed to hear the Secretary to the Admiralty say that the cost of the change of guns would amount to £200,000 per ship. It seems to me an impossible amount, seeing that the weight of the armament proposed to be substituted is less than that to be unshipped. I should like to see how that estimate is made out. I do not think it can be altogether satisfactory. The Secretary to the Admiralty has made a statement with reference to the progress of ships now building. I must say that this is a feature of Admiralty administration which I am disposed to watch with the greatest closeness. I think it would be a very extravagant thing indeed to interfere with ships during their progress by amending the plans or making alterations in the designs which are not beneficial, and might be the source of incalculable expenditure. As far as the statement of the First Lord of the Admiralty goes, I acknowledge readily that the changes made have been for good. The changes that have been made consist mainly of raising and lengthening the forecastles of the fast steamships, and mounting guns upon the elevated forecastle, with the result of improving the capability of the vessel in chasing an enemy. Consequently, I am not disposed to take exception to the course the Admiralty have taken. I rose to congratulate the First Lord on having published a preliminary Statement. It has had the effect of making the Debates in this House much more satisfactory than they could otherwise have possibly been, while it discourages anything like captious criticism. The Statement shows that matters of the greatest possible importance are engaging the attention of the Admiralty, and but for that knowledge the Debates might have very much

extended, for during the past year there has been much to criticise. Take, for instance, the numerous trials of ships which have resulted in distinct failure. Had this fact been extracted in Debate the criticism would probably have been much keener; but the First Lord has dealt with the matter very fairly in his Statement. The noble Lord has been very wise to change his first intention with regard to many of these vessels, and to enlarge their boiler power instead of depending on forced draught. It is all very well to look to forced draught for steam service, but I hold that nothing can compensate for deficiency of boiler power. That fact seems to have been fully recognised by the Admiralty. There is one feature of the Estimates with which I am not satisfied—that is, the manner in which this scheme is being dealt with as regards the engineering of the Fleet. It must be known that the greatest calls are made upon, and the greatest responsibility falls upon, naval officers of the engineer class. I am astonished that in the days of a Steam Navy so little consideration should be given to the engineering management of the Navy. I have put together hastily the figures which are proposed this year to be expended on non-engineer officers. I find that the sum of £400,000 is to be paid to officers who are in no way capable of dealing with actual difficulties should they arise in connection with the machinery of a vessel. I remember very well the case of a trial with ships in the Channel Squadron, when a 13 knot vessel left entirely behind a 14 knot vessel which kept company as a matter of fact with an 11 knot vessel. I was asked for an explanation of the fact, and I suggested that the Board of Admiralty had better inquire of the captain. That gentleman was accordingly sent for, and he said that he had given the signal for full speed, and did nothing else, believing that he had completely executed his duty. I took a somewhat different view, and so, I am glad to say, did the Board of Admiralty. I want to know why we are to spend £400,000 a year on officers who do not understand steam machinery, and who are not charged with the responsibility of its management, while we only pay £153,000 a year to the Engineering Staff. Having regard to the great expenditure upon steam machinery, and the responsibility and importance connected therewith, I cannot understand why there is no representative of the engineering class on the Board of Admiralty. Why are there three Naval Lords and not one single representative for the vast concerns of the Machinery Department? But how is the engineering interest dealt with within the Admiralty? I say the system of representation is antiquated to the last degree. Will it be believed that this very year, when the amount of money to be expended upon steam machinery is £750,000, the gentleman responsible for the design and construction of this great mass of machinery receives £1,000 a year? I do not believe there is any man connected with a large mechanical enterprise in this country who would for a single moment defend such an arrangement as this. I think it shows a want of consideration and of appreciation of the circumstances on the part of the Admiralty. And my objection to it is, not that it is wrong in itself, but it injures confidence in the Admiralty. I can assure the First Lord there is a widespread want of confidence in Admiralty administration—and I am not speaking now of the Engineering Department—but it is looked upon with the greatest contempt by men totally unconnected with the Service. I do not understand why the Admiralty do not make some improvement in that respect. With regard to the engineer officers, their case is one which must be brought forward on another occasion. I can only say that at present the Navy is not properly supplied with engineer officers, and this is a subject which must receive early attention. Before I sit down I should like to say that I think the form of the Estimates and the additional figures which my right hon. Friend the Member for Bradford has laid before the Committee will make it necessary to ask the Government to put the expenditure on the Army and Navy into a more compact form, so that the House may really know what they are dealing with. I should like to ask the First Lord whether, in view of the Debate and the criticisms made, he can next year present the figures relating to naval expenditure in such a form as to be available for comparative uses?

*(11.7.) LORD G. HAMILTON: The right hon. Gentleman the Member for Bradford has moved for a Return corresponding to that produced last year, and I believe that this Return will give all the information required. If not, I shall be glad to supplement it with further information. As to the remuneration of engineers, it is well known that technical ability is not too highly paid either in Her Majesty's Service or in other Departments. The right hon. Gentleman has asked for reasons for the proposed increase in the number of men. Before the number of men is fixed there is a special estimate of all the men that are required to man the ships for which there are guns; and it has been part of the policy of the Admiralty to increase the *personnel* of the Navy so as to make it adequate to the increasing number of ships. The additional number of ships that has been brought into commission lately have been big ships, and there were now fewer small ships than there have been for many years past. This is a policy that will be continued. In my judgment, one cruiser showing the flag is worth two or three gunboats. The gunboats will be concentrated on the stations where they will be useful. With regard to the reduction of the standard in which my hon. and gallant Friend the Member for Eastbourne has asked a question, my belief is that it is now too high for everybody, and I have substituted a lower standard for the gunboats; but, of course, those who show special aptitude can go higher—a change which I believe will be beneficial to teachers as well as to the taught. The hon. Member for Banff has made a violent attack on the 110-ton gun; and I must protest against the hon. Member's annual speech of one hour's duration.

*MR. DUFF: I never spoke an hour in my life.

*LORD G. HAMILTON: The hon. Member censured me because I did not condemn everything done by the former Government. Personally I had nothing to do with the 110-ton gun; and I assume that the hon. Gentleman's colleagues when they introduced it took every care that it was likely to be useful to the Service. The hon. Gentleman has spoken of these guns as the laughing stock of the world. The Italians have a powerful Navy, and every ironclad is armed with the 110-ton gun, which have given the Italians no trouble. Yet their Navy certainly cannot be said to be the laughing stock of the world. Out of their twenty 110-ton guns none have given them trouble. But of the nine guns we have ordered two have given serious trouble. One was rejected and sent back, and the other is still under proof. I am surprised the hon. Gentleman should say we are afraid to fire it while it is still under proof. For this statement the hon. Member has no authority; but I will now read an opinion from one whose name will carry weight. Sir Benjamin Baker is probably of all engineers alive the man who has had the greatest experience of the strength and tensile power of steel, and he has made a most careful examination of this gun. It must be remembered that this is the worst of the guns delivered. We have been told that it has split from top to bottom, that it will burst next time, and that it has deflected so that it is utterly untrustworthy and cannot be fired. I have had a Report drawn up upon this gun, because I wished to know what the exact state of things is, and the following is the paragraph relating to this particular gun, endorsed by Sir Benjamin Baker after careful examination:—

> "Some of the 110-ton guns on being tested exhibited defects which, although not affecting the power of penetration or the safety of the gun, pointed to the necessity of modification of designs, which has since been carried out, with the result of bringing them to the required level."

Therefore, the opinion of one of the first engineers in the country is that this defect neither affects the safety nor the power of penetration of the gun. I have seen every officer who has been in command of a vessel where the 110-ton gun has been placed, and I have never heard one single word of complaint from any naval officer who has had the handling of them. Some may have objected to the calibre, but all have expressed themselves contented as to the safety and accuracy of fire. Therefore, I hope that Members of Parliament will not catch up any gossip or anonymous paragraphs they see in the newspapers, and give currency to rumours which are absolutely untrue. I should like to inform the House what the effect is of circulating these rumours. A Government which has previously got its guns in this country has refused to get the guns for a ship any longer in this country, on the ground that Members of Parliament are constantly finding fault with the guns made in this country, and those guns have been made elsewhere, though I maintain that they will be inferior to the guns which would have been made in this country. All that I have done is, on finding that gun settled upon by my predecessor, to see that it has fair play. The hon. Member says that somebody told him that it was a bad gun, and he recommended that we should take it out and put in 67-ton guns. That would mean a cost of £100,000 or £200,000 in every ship, besides laying up the ships for a long time. The 110-ton gun penetrates 37in. of iron at a close range, and although no ship may carry that amount of armour, with the 110-ton gun there is the probability of the shot penetrating armour even when the blow is an oblique one. I maintain that we have made a most careful examination of the question, and have taken care that no gun in any way unsafe has been put on board any of Her Majesty's ships.

(11.26.) MR. SHAW LEFEVRE: Do I understand the noble Lord to say there will be no increase in the West Coast Squadron?

*LORD G. HAMILTON: None.

MR. SHAW LEFEVRE: May I ask whether St. Helena will be within the ambit of the new squadron?

*LORD G. HAMILTON: I cannot answer that question offhand. It is just upon the line, and my impression is that it is just outside the ambit.

MR. SHAW LEFEVRE: Will the noble Lord lay on the Table of the House a comparative statement of the ships on Foreign Stations as compared with the number six years ago? I think it is desirable we should know what change has been made.

*LORD G. HAMILTON: I will consider that.

MR. SHAW LEFEVRE: There is another question I should like to ask. Why is the contribution of the Island of Ceylon not included in this Vote? Formerly the Island used to pay £4,500 a year for naval purposes. Has that contribution ceased? I hope on some future occasion the noble Lord will give us some reason why that contribution has ceased—if that be the case.

*(11.28.) SIR J. SWINBURNE (Staffordshire, Lichfield): I wish to impress upon the First Lord of the Admiralty the importance of having one or two ocean despatch boats capable of steaming at the rate of 25 knots per hour continuously for six days without stopping to coal, thus steaming at the rate of 600 knots per 24 hours; and thereby carrying a despatch from England to the Cape of Good Hope in six days. These despatch boats might require a double or even a treble set of boilers, to enable one set to be cleaned during the passage; but there is no good reason why such a vessel should not be built, considering there already exist steamers which are capable of steaming at the rate of 27 knots per hour for short distances. In the case of an European war there is little doubt that the Suez Canal would be immediately closed to our men-of-war and despatch boats. It is, therefore, all-important that we should be able to communicate with the Cape quicker than any other nation, for it must be borne in mind that immediately war is declared it invariably happens that the submarine cables are broken or become disabled. During the Russian difficulty in 1885 the Cape was without telegraphic communication with Europe for many weeks. Such a despatch boat would be capable of carrying at least two long-range guns and a sufficient number of rapid-firing machine guns for self-defence, if surprised. One of these despatch vessels should always be in readiness in England, another at the Cape, and a third should be stationed either in Ceylon or at Singapore. They would be of enormous importance not only in time of war in protecting our commerce, but in preventing war when any complications had arisen with foreign Powers. I would ask the Admiralty whether they cannot see their way to laying down, at all events, one of these ocean despatch boats in the present year.

(11.31.) MR. MARJORIBANKS (Berwickshire): The First Lord of the Admiralty and my hon. Friend the Member for Banffshire (Mr. Duff) have been exchanging shots on the biggest bores in the Service. I am going to challenge the noble Lord on the smallest bore. I trust that by continually pegging away I shall be able to instil into the minds of the noble Lord and his colleagues that the magazine rifle does not possess all the excellent qualities with which they credit it. It seems to me very remarkable that though so much has been heard about the re-arming of the Army with the new magazine rifle, not a word has been said by the First Lord of the Admiralty as to re-arming our sailors and marines. I should like to know what is to be the policy of the Admiralty with regard to this matter? Our sailors and marines are quite as frequently called into action as the Army, and it is very desirable that, as they are often employed side by side, they should be armed, if not with identically the same weapon as the Army, at any rate with a rifle of the same bore and using the same cartridges. Does the Admiralty approve the new magazine rifle? If not that is a strong argument against its adoption for the Army. If the Admiralty do approve it, why is it not proposed to distribute it to the sailors and marines? I would advise the First Lord and his advisers at the Admiralty not to look at this new magazine rifle with the same rose-coloured spectacles as the War Office. I would like to give two instances that have occurred during the last few days of the way in which the rifle is viewed in the Army itself. An hon. and gallant Member, a supporter of Her Majesty's Government, told me that he had asked several of his Service friends what they thought of the weapon, and that they only smiled and said, "We had rather not say anything about it; we do not want to be quoted;" and the commanding officer of one of the regiments of Foot Guards told me that upon the command to "order arms" it is no longer possible to judge of the smartness with which it is obeyed by the simultaneity of the sharp rap of the rifles on the ground, as this has been abandoned owing to its being considered that the mechanism of the weapon will not stand the blow on the ground. I would remind the noble Lord of the unfavourable Reports which were sent in by the Naval Authorities to whom the rifle was in 1888 forwarded for trial.

*LORD G. HAMILTON: Might I say one word. We are taking no Vote for the magazine rifle.

Mr. MARJORIBANKS: That is just my point. If I am out of Order, I have no doubt the Chairman will call me to Order. My point is that, if this weapon is as good as it is represented to be at the War Office, it is a monstrous shame that the Navy should not have it. It is because it is not included in these Estimates that I am finding fault.

The CHAIRMAN: Order, order! The right hon. Gentleman is quite entitled to find fault with the Navy for not adopting the rifle if he is prepared to advocate its adoption, but not otherwise.

Mr. MARJORIBANKS: I am prepared to advocate the adoption of a different rifle to the one now in use in the Navy, and I am endeavouring to show the reason why, though a different rifle should be adopted, the Admiralty should not adopt the weapon recently adopted by the War Office. I want to show that the Reports received from the various ships bear out my view, and justify the noble Lord in taking the line I am about to suggest. The officers of H.M.S. *Excellent*, in reporting on the weapon, said:—"The mechanism appears too weak to stand the usage of active service," and similar Reports were received from other ships.

The CHAIRMAN: The right hon. Gentleman is not in Order in adducing evidence against a rifle which the Vote does not refer to.

Mr. MARJORIBANKS: I wish to know whether the noble Lord thinks it a desirable thing that the Army should be armed with a weapon of one calibre and carrying one sort of cartridge, and the Navy with another weapon carrying another sort of cartridge. We know perfectly well what took place on the expedition across the desert to Khartoum. In a single square, consisting of 1,120 men, there were no less than five sorts of ammunition in use, and the consequence naturally was the greatest confusion. I want to know whether the Admiralty think the Navy should be armed with the Martini-Henry, with a bore of 450, and the Army with a rifle having the bore of the magazine rifle. Then I want to know why, if it is necessary for our Army to have a magazine rifle, it is not necessary for our Navy; why should our Blue Jackets and Marines be placed on a different footing to our soldiers?

*(11.41.) Mr. DUFF: I am bound to make one or two remarks in reply to the noble Lord. The noble Lord went out of his way to attack me, and I appeal to the Committee whether he was justified in that attack. There were several Motions on the Paper on going into Committee of Supply. Upon one or two of those Motions I was prepared to speak, but I refrained from speaking on any of them to facilitate the progress of public business. My hon. Friend the Secretary to the Admiralty (Mr. Forwood) asked me if I would make my remarks on the Vote, and I consented to do so. When we got into Committee I made what I thought was a rather conciliatory speech. I congratulated the Admiralty upon the progress they had made in the building of ships. In regard to the 110-ton gun. I said I did not blame the First Lord and his Board. But the First Lord has made a very violent attack upon me. He said I am in the habit of speaking for an hour and making the same speech every year. I have not said a word about the 110-ton gun since 1887. In that year I did appeal to the noble Lord not to put such guns on board the *Victoria* and *Sans Pareil*—we could not help ourselves with regard to the *Benbow*—and I am satisfied that if the advice which I then gave had been taken, the country would have been saved a great deal of money. An hon. and gallant Member (Admiral Field) has said to-night that the insufficiency of guns for the Navy is the result of the policy of the Liberal Government in letting down the Navy. From that I altogether dissent. I assert that the reason of the insufficiency will be found in the action of the present Government who reduced the Estimates in 1887-88 by £793,000, and in 1888-89 by £905,000, making £1,698,000 in two years. Nothing could exceed the vacillation of the Government in their naval policy, for after making these reductions they came to the House and said "we want £21,000,000." Before resuming my seat, I wish to ask what the Admiralty intend to do with regard to the two small vessels which have been sent to the Zambesi. I understand that the rate of

mortality amongst the crews is very heavy owing to the unhealthiness of the climate, and that the vessels can only do useful work for three months in the year, the water during the other nine months being too shallow for them to operate.

*(11.42.) LORD G. HAMILTON: The position of the Admiralty as to the magazine rifle is this:—They tried the magazine rifle, and one of the Reports was not entirely favourable, but the other was that the weapon was a great improvement on the heavy Martini-Henry rifle. There is no hurry for the magazine rifle in the Navy. It is well that the two Services should have the same weapon, but the duties of the sailors vary very much from those of the soldiers, and there is not as much necessity for the Navy to have the new rifle as for the Army. The Admiralty do not propose to order any this year, and I hope that the result of postponing the orders will be that we will not only get the rifle much cheaper, but that the improvements indicated will be perfected. The hon. Member for Banff has complained of my remarks concerning him. I thought those remarks were harmless; but if they have given him any offence, I retract them. The vessels in the Zambesi will be there for some time. Certain parts of the Zambesi are healthy; and as these vessels have a draught of 1½ft. only, they can go anywhere. We have not heard from the officer for some little time, but the last Report was that the vessels were doing excellent work. In reply to the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) I have to say that by some arrangement with the Treasury the appropriation in aid lapsed this year. If the right hon. Gentleman will put a question on the Paper in regard to the matter, I will answer it.

MR. MARJORIBANKS: I do not in the least say that because the Army is to have the magazine rifle the Navy, therefore, must have the same weapon, but I maintain that all small arms should have the same calibre and carry the same cartridge.

Vote agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £3,404,000, be granted to Her Majesty, to defray the expense of wages, &c., to Officers, Seamen and Boys, Coast Guard, and Royal Marines, which will come in course of payment during the year ending on the 31st day of March, 1892."

(11.53.) Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Channing.*)

*THE FIRST LORD OF THE TREASURY (Mr. W. H SMITH, Strand, Westminster): I appeal to the hon. Member not to press this Motion. If this Vote is not taken now I shall be compelled to ask for the time of private Members next week.

SIR E. J. REED: Can the right hon. Gentleman give us a promise that the general Debate may be taken on the next Vote?

*MR. W. H. SMITH: I will endeavour to meet the reasonable wishes of the hon. Gentleman on that point. I hope the Report of this particular Vote may be taken at an early hour. If we cannot take the Report at an early hour I will undertake that an opportunity for discussion will be afforded on the next Vote.

*MR. SHAW LEFEVRE: I presume that if this Vote is taken to-night the Government will not take private Member's nights next week.

*MR. W. H. SMITH: I shall be glad if there is no necessity to take private Members' nights next week; but I must remind the hon. Gentleman that we must have certain Votes by the 16th of March.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): I hope that if the Vote is taken now a further opportunity will be afforded for a general discussion of Navy questions, so that hon. Members who desire to do so can range over the whole question of Navy expenditure.

*MR. W. H. SMITH: We are in the hands of the Chairman, but, so far as the Government are concerned, they will raise no objection to such discussion.

*MR. DUFF: May I ask you, Mr. Chairman, if it would be in order to take a general discussion on a subsequent Vote?

THE CHAIRMAN: A general discussion has been allowed upon the Victualling Vote.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

Resolution to be reported to-morrow.

Committee to sit again upon Wednesday.

ARMY SCHOOLS BILL.—(No. 211.)

SECOND READING.

Order for Second Reading read.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I hope the House will agree to give this Bill a Second Reading. Its purpose is simply to put Army schools in the same position as other schools under the Elementary Education Act, enabling such to earn the Government grant.

Bill read a second time, and committed for Thursday.

PENAL SERVITUDE BILL.—(No. 192.)

SECOND READING.

Order for Second Reading read.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I do not know if the House will be content to treat this Bill in the same manner. The Bill is of a simple character. It proposes to reduce the minimum term of penal servitude to three years, and to make some minor changes with regard to penal servitude and the prevention of crimes. I propose that it shall be referred to the Law Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Matthews.*)

MR. H. H. FOWLER (Wolverhampton, E.): I presume the right hon. Gentleman will allow an interval to elapse before putting down the Bill for the Committee stage?

MR. MATTHEWS: It is my intention to move that the Bill be referred to the Standing Committee on Law.

MR. SEXTON (Belfast, W.): May I ask does the Bill extend to Ireland?

MR. MATTHEWS: Certainly, that is the intention.

Question put, and agreed to.

Bill read a second time, and committed for Thursday.

ELECTORS REGISTRATION (ACCELERATION) BILL.—(No. 147.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Causton.*)

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I hope the hon. Member will not persist in the Motion. The Bill, I believe, has general approbation. County Councils have again and again urged us to introduce it and they have stated that unless the Bill is passed they do not see any possibility of carrying out the elections on November 2nd with anything like satisfaction or accuracy, that the number of elections is very large, and that the time for revising and printing under the existing law will not allow of the register being made up in time for the forthcoming County Council elections. It is a matter of urgency, and we have introduced the Bill at the request of the County Councils.

*MR. CAUSTON (Southwark, W.): I think the right hon. Gentleman cannot have examined the Amendments on the Paper to this Bill. They are Amendments of a very serious character and I do not think it is reasonable to ask the Committee to proceed with the discussion at such a time. If the right hon. Gentleman wishes to make progress with the Bill he must take the discussion earlier in the evening. I cannot waive my objection.

*MR. RITCHIE: Surely the hon. Member will allow us to proceed to the first Amendment? It is clear that unless the Bill passes before Easter it will be useless and must be withdrawn. The hon. Gentleman is aware that the Government have certain financial business that must now be proceeded with and this is simply a Bill for the readjustment and acceleration of the registration machinery.

*MR. CAUSTON: I am not opposed to the principle of the Bill but I must maintain my objection to proceeding with it without discussion.

*MR. TOMLINSON (Preston): The House should bear in mind that County Councils have pressed upon individual Members the desirability and urgency of passing the measure. It must be obvious that when hon. Members opposite give notice of Amendments which widen the scope of the Bill and convert it into something else, it will be a reasonable inference that their object is to defeat the measure by a side wind. I hope Her Majesty's Government will insist on passing the Bill, and if necessary devote a Morning Sitting to the purpose.

MR. HENEAGE (Great Grimsby): The desirability of passing the Bill is generally acknowledged. I hope the hon. Member will not persist in his Motion. If the Bill is not passed the result must be that a large number of electors will be disfranchised so far as the next County Council elections are concerned. When County Councils were established it was recognised as one of the advantages that County Councils might make useful suggestions to this House, and here is the first practical suggestion, the value of which is acknowledged. I hope the Government will stand by their Bill, and if necessary name a day for the Committee to report the Bill to the House.

MR. STANSFELD (Halifax): It is desirable that we should understand each other. I understand that the right hon. Gentleman will be satisfied if we get as far as the first Amendment?

*MR. RITCHIE: No, not satisfied at all.

MR. STANSFELD: I suppose there is no suggestion that any of us are desirous of defeating the Bill? I am not aware that there is any such desire. But we claim time for the discussion of Amendments which appear on the Paper. To proceed through Committee to-night would not be reasonable; but I think there is no objection to making some progress, and, under the circumstances, I hope my hon. Friend will withdraw his Motion.

THE CHAIRMAN: Does the hon. Member withdraw?

*MR. CAUSTON: No, Sir.

*MR. RITCHIE: We are extremely anxious to pass the Bill, because we have a great regard for the wishes and representations of the County Council as to the enormous difficulties they will have to encounter if the Bill does not pass. The Government have placed on the Paper certain Amendments in order to carry out their undertakings. The other Amendments deal not with matters of mere machinery for registration, but with questions of franchise, and these the Government cannot accept Therefore, it is entirely in the hands of the House whether the Bill shall pass or not.

MR. H. H. FOWLER (Wolverhampton, E.): May I suggest that the right hon. Gentleman should revert to the old practice of committing the Bill *pro formâ*, when the Government Amendments could be inserted? It is most difficult to see how the Government Amendments will work, and the anxiety is in regard to Parliamentary registration. Many Members are of opinion that as the Bill stands it is a disfranchising measure. I do not say whether they are right or wrong, but I am quite sure the Government Amendments will help to clear up many points, and if these were inserted *pro formâ* we should be better able to judge of the effect.

*MR. RITCHIE: Very well. The Government Amendments are few, though important; and I will adopt the suggestion of the right hon. Gentleman if the Bill will be forwarded by that course.

MR. DE LISLE (Leicestershire, Mid): Sharing the strong feeling that the Bill should be proceeded with, and yet admitting the force of the objection to the Bill being proceeded with at this time of night, I venture to suggest to the Government that they should take a Morning Sitting for the Bill. Time has been wasted on Friday nights recently, Members not availing themselves of the opportunity afforded them for Motions of which they have given notice, and a Morning Sitting on Friday might be usefully devoted to the Bill.

*MR. RITCHIE: If the hon. Member will withdraw his Motion I will formally move the insertion of my Amendments.

***Mr. CAUSTON**: I really cannot agree to the proposition. It is now nearly half-past 12. Members who have Amendments on the Paper are not here, not expecting the Bill to come on. I have no desire to stop the acceleration of the register; indeed, the nearer the register upon which an election is taken the better for the Liberal Party. Nothing is further from my intention than to disfranchise any elector, but it is unreasonable, under the circumstances, to proceed with the Bill, and I must persist in my objection.

Mr. H. H. FOWLER; Let me assure my hon. Friend that the proposal is to take a merely formal stage, and the rights of himself and others to move Amendments will remain intact. It is, in fact, merely a reprinting stage. We shall have the convenience of having the Bill in the shape in which the Government desire it to proceed through Committee in the usual way, and subject to other Amendments.

***Mr. CAUSTON**: On this understanding, and in deference to the right hon. Gentleman, I withdraw my Motion.

Motion, by leave, withdrawn.

Amendments made.

Bill reported; to be reprinted, as amended [Bill 234]; recommitted for Thursday.

ARCHDEACONRY OF CORNWALL BILL [LORDS]—(No. 177.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

ASSESSMENT OF TAXES (REGULATION OF REMUNERATION) BILL—(No. 221.)

Considered in Committee.

(In the Committee.)

Clause 2.

Committee report Progress; to sit again upon Thursday.

POLLEN FISHERIES (IRELAND) BILL. (No. 91.)

As amended, considered; read the third time and passed.

LOCAL BANKRUPTCY (IRELAND) AMENDMENT BILL.—(No. 151.)

Considered in Committee.

(In the Committee.)

Clause 1.

***The ATTORNEY GENERAL for IRELAND** (Mr. Madden, Dublin University): I beg to move that Progress be reported. I agreed to the Second Reading of the Bill inasmuch as the Bill was one tending in the direction of an ultimate development of the local administration of the Bankruptcy Law. I said, however, the principle must be safeguarded in its operation. The Bill deals with an extremely technical subject, and its details require careful consideration, and in some respects revision, to bring them into harmony with existing legislation on the subject, and to safeguard its operation. I would ask the hon. Member to postpone this stage until after Easter.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Mr. SEXTON (Belfast, W.): I confess I am considerably surprised and disappointed at the speech of the right hon. Gentleman. I speak within the memory of many hon. Members when I say that he assented to the Second Reading on the ground that the discretion rested in the Lord Lieutenant to provide a sufficient safeguard.

***Mr. MADDEN**: I do not make the Motion in any spirit of hostility to the Bill. I stated on the Second Reading that I should never have assented to that stage if the Bill had not contained the safeguard referred to, but I never said, or implied, that I was satisfied with the Bill in its present form. My only desire is that the Bill shall be carefully considered by those well versed in bankruptcy law and proceedings. There is no intention of impeding the progress of the Bill, after Easter, I merely wish to insure it being a safe and useful measure.

Question put, and agreed to.

Committee report Progress; to sit again upon Monday, 13th April.

MARRIAGES OF NONCONFORMISTS (ATTENDANCE OF REGISTRARS) BILL.—(No. 144.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 17.)

As amended, considered; to be read the third time to-morrow.

TECHNICAL INSTRUCTION BILL.

(No. 40.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. TOMLINSON (Preston): I object.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham): I think the object of the Bill is well known and approved by all friends of education. Nearly every County Council is interested in the matter. I hope the hon. Member will not persist in his objection.

MR. TOMLINSON: I am not sure that all persons interested in education do agree with the Bill in its present form.

THE VICE PRESIDENT OF THE COUNCIL FOR EDUCATION (Sir W. HART DYKE, Kent, Dartford): I hope my hon. Friend will allow the Bill to proceed. The subject does very much exercise the minds of County Councils.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

CORN SALES BILL.—(No. 131.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): This is a matter which Her Majesty's Government must reserve the right of dealing with. I think my right hon. Friend the President of the Board of Agriculture may possibly have something to say to a Bill which compels all corn to be sold by weight, while at present it may be sold by measure.

Question put, and agreed to.

Bill read a second time, and committed for Wednesday.

MOTION.

PUBLIC BODIES (PROVISIONAL ORDERS) BILL.

On Motion of Mr. Tomlinson, Bill to remove doubts as to the powers of Public Bodies in reference to Provisional Orders Bills under "The Railway and Canal Traffic Act, 1888," ordered to be brought in by Mr. Tomlinson, Sir Richard Paget, Sir William Houldsworth, Mr. Whitley, Mr. Hunter, Sir Albert Rollit, Mr. Barclay, Mr. Lafone, and Mr. Woodall.

Bill presented, and read first time. [Bill 233.]

House adjourned at half after Twelve o'clock.

[APPENDIX.

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APPENDIX.

MEMORANDUM OF THE SECRETARY OF STATE

RELATING TO THE

ARMY ESTIMATES, 1891-92.

Presented to both Houses of Parliament by Command of Her Majesty, February, 1891.

A recommendation of the Public Accounts Committee, which has been approved by the Treasury, compels a further change to be made in the form of the Estimates. The system, however, which was adopted last year makes it comparatively easy to make a comparison between the two years. The result of the change is that the number of Votes has been increased from 13 to 16.

The Estimates for 1890-91, including the Ordnance Factories Vote, after making the necessary transfers, in order to make a fair comparison with those for 1891-92, show an anticipated expenditure of £14,565,100 for Effective and £3,092,200 for Non-Effective Services, making a total of £17,657,300. Afterwards, a Supplementary Estimate of £180,100, mainly for the equipment of the Volunteer Force, was agreed to, bringing up the total amount voted by Parliament for 1890-91 to £17,837,400.

For 1891-92 the Estimates, with the Ordnance Factories Vote, show an expenditure of £17,545,400, of which £14,453,400 is for Effective, and £3,092,000 for Non-Effective Services. It will thus be seen that, including the Supplementary Estimate, the amount now required shows a net decrease of £292,000 as compared with last year.

The number of men on the Establishment shows little variation. A few men of special skill have been added for the charge of the more complicated armaments now in use, and a small addition has been made to the Ordnance Store Corps.

The number of enrolled Militiamen has decreased during the past year by 1,865. Considering the revival in trade, and the facilities given to Militiamen to purchase releases from their engagements, this decrease in numbers can scarcely cause surprise. It would have been more marked but for the revision of Militia Establishments last year, which provided for increase in those localities where recruits could be more easily obtained. The recommendations of Lord Harris's Committee are being followed in the extension of the course of musketry for recruits, the issue of flannel shirts, and in the provision of greater comforts to Militiamen under canvas. The reports of the Inspecting Officers are almost uniformly creditable to the Militia. Much zeal is evinced by all ranks during the training.

The Yeomanry continues to be well reported on as regards general efficiency, and its numbers remain almost stationary. Some alterations advantageous to the force have been made in the regulations in respect of men kept from duty by sickness, the injury allowance to men and horses, and the travelling expenses of the Permanent Staff. The tenure of command by Militia, as well as Yeomanry Commanding Officers, has been reduced to five years, with power of renewal.

The Volunteers show a reduction in enrolled numbers of nearly 3,000 men. This reduction is brought about mainly by the very stringent conditions of efficiency, which have weeded out some of the older and less energetic men, but is also partly due to the fact that, whilst efforts have been made to increase the Artillery Branch in places where their numbers would be deficient on mobilization, it did not seem desirable to allow increases of Establishment to Volunteer Infantry in districts where there existed an undue proportion of that arm. Some increases of Establishment have, however, been lately sanctioned, and there seems no reason to fear a continued diminution of numbers. I am satisfied that the Volunteers we now have are very much more efficient for their duties than before. I am sorry to say that the dearth of Officers still continues. While it is mainly due to the increasing disinclination of gentlemen of means and leisure to make the necessary sacrifices, there can be no doubt that the falling off of local subscriptions, even in the matter of prizes, has thrown greater expense on Volunteer Officers.

During the past year 18 Brigade Camps have been held, and have proved to be an unqualified success in England. All the General Officers of districts are unanimous in praising the good effect of these camps. In many cases the brigades went into camp well advanced in all their internal arrangements for Transport and Supply, and for Medical and Sanitary Services, and without any assistance at all from the Regular Army. It is satisfactory also to record the general approval of the work done by the new Batteries of Position, of which there are now 79, with 316 guns. The value of this addition to our defensive forces can hardly be exaggerated.

On the face of the Estimates there appears to be a reduction on the Volunteer Vote of nearly £180,000. It is hardly necessary to point out that this sum represents the expenditure for equipment granted last year, and that in reality this Vote shows a small increase.

Vote 1 shows a net increase of about £42,000. This is mainly due to the large number of men, who, after the termination of their seven years' engagement, are receiving their deferred pay, and are being passed into the Reserve, by the occurrence of leap-year, and by a proposal which I hope to be able to make during the present Session for improvement in the position and training of the Garrison Artillery. The increase would have been greater but for the larger contributions made by certain colonies towards the cost of their defence. This subject is being thoroughly threshed out by the departments concerned, and it has been found in several cases just and necessary to require an increased amount of colonial contribution.

The Vote for Warlike Stores and Armaments shows a reduction of £202,504. This is almost entirely due to the approaching completion of the programme undertaken in 1888, under the Imperial Defence Act for the improvement of the defences of our ports and coaling stations. The amount taken in this Vote for the new rifle is almost identical with that in the Estimates for the present year.

I am compelled to ask for an increase of £51,500 on the Vote for Works. Of this sum, £10,000 is taken towards the provision of new range accommodation, which is becoming more and more difficult every year. £6,894 is required for carrying out the provisions of the Aldershot Roads Act of last Session, by which ranges of paramount importance are permanently secured to the Regular Army and to the Volunteers. And a large increase is also occasioned by the demands for new sanitary services and other minor improvements in Barrack accommodation in all parts of the country, as well as for additional stations for Position Finding.

The fall in prices accounts for the reduction on the Vote for provisions of £37,804. On the other hand, the item of Miscellaneous Services is swollen to the extent of £61,304 by the charge for Interest on the Imperial Defence and Barrack Loans. In the latter case provision has been made for a sinking fund, which will pay off the whole amount in 20 years.

EDWARD STANHOPE.

7th February, 1891.

STATEMENT OF FIRST LORD OF THE ADMIRALTY,

EXPLANATORY OF

THE NAVY ESTIMATES, 1891-92.

Presented to both Houses of Parliament by Command of Her Majesty.

INTRODUCTORY REMARKS.

The Naval Estimates for 1891-92 show an apparent increase of £428,500 over those of 1890-91, the respective figures being £14,215,100 and £13,786,600.

This increase of expenditure is associated with an increase of duties, the custody of Naval Ordnance Stores having been transferred from the War Office to the Admiralty. This entails a special expenditure of £78,000, to meet which £70,500, hitherto borne on Army Estimates, has been transferred to Navy Votes. On the other hand an increased appropriation is anticipated from the Indian Government in aid of Naval funds for work done in Indian waters. The full subsidy payable under the Imperial Defence Act by the Australian Colonies will become due this financial year. Against this has to be put the cost of keeping in commission and reserve the seven ships constituting this special squadron, and the payment of an annuity for the redemption of the original cost of the construction and equipment of these vessels. The last instalment of this annuity will be paid on the 1st April 1900.

Including these various contributions and items, the net increase to Navy Votes is reduced to £358,500.

NEW CONSTRUCTION.

To appreciate the full advance made in new construction during the past year, and the progress anticipated in 1891-92, it is necessary to comprise all the vessels building for the Navy in the following groups, giving the sources from which their cost is met:—

1. Contract Ships. Old programme : cost met out of annual estimate.
2. Contract Ships. Naval Defence Act : paid for by special provision under Naval Defence Act and repayable by an annuity charged on the Consolidated Fund.
3. Australian Flotilla. Cost defrayed out of Consolidated Fund, repayable by an annuity chargeable on Naval Votes.
4. Dockyard-built Ships. Cost charged against Annual Naval Votes.

CONTRACT SHIPS.

Old Programme.

At the close of the year 1890-91, of the ships building by contract only one ship belonging to the Old Programme of Construction will remain in the hands of private shipbuilders, viz., the "Blenheim," First Class Cruiser, building on the Thames.

It is anticipated that she will be delivered in the autumn of 1891.

CONTRACT BUILT SHIPS.

The progress of work by contract under the Naval Defence Act during the year 1890-91 has been carried on under conditions of considerable difficulty, arising out of the great activity in mercantile shipbuilding, and the consequent extraordinary demands both for labour and materials.

Notwithstanding these adverse conditions, very good progress has been made.

Of the seventeen Second Class Cruisers building by contract eight have been launched, and one, the "Latona," has been delivered at Portsmouth, where she is now completing for sea.

A number of the remaining vessels of the class are rapidly advancing, and will be speedily set afloat.

It is anticipated that with two exceptions all of them will be delivered by the ensuing autumn, and remaining two before April 1892.

The five First Class Cruisers building by contract are also making good progress, and will be launched during the year 1891-92.

Three of the four First Class Battle Ships building by contract are now considerably advanced. The fourth is in an earlier stage of construction.

The deliveries of armour for all the battle ships, both building in the Dockyards and by contract, have been on the whole so satisfactorily carried out as greatly to facilitate the progress of work. The manufacture of such large quantities of armour in so limited a period was a difficulty which required very careful consideration and pre-arrangement, but the necessities of the case have been well met, and notwithstanding the sudden past inflation of the price of metals the contracts made have been on the basis of the prices paid in 1886 for the armour of the "Trafalgar" and "Nile."

The whole of the contract programme of the Naval Defence Act has been thus placed, except six vessels of the torpedo gun type. They will shortly be put out to contract. As they are of small dimensions, their construction and completion will not occupy more than eighteen months.

AUSTRALIAN FLOTILLA.

The completion of the five cruisers and two torpedo gunboats, building under the Imperial Defence Act of 1888, has been delayed by the conditions of the market, both as regards labour and materials, but the main cause of the delay has been the unusually long period required for the completion of the steam trials of these vessels to surmount difficulties which have arisen with their boilers.

It has been finally decided by the Board to take over the vessels without insisting upon the completion of the maximum forced draught trials embodied in the contracts.

The natural draught trials of all the vessels have now been finished, and the results, within the limits of power developed, have fully realised or exceeded the intentions of the design.

It was stated that with 4,500 (natural draught) horse-power, the protected cruisers of the "Katoomba" (late "Pandora") class would have measured mile speeds of 16½ knots.

The typical vessel of the class, which has been tried, attained a mean speed of 17¼ knots for a period of eight hours' continuous steaming; and on the measured mile reached a maximum speed, with natural draught, of 18¼ knots, with an indicated horse-power of 5,450.

In connection with the building and completion of the Australian Flotilla, an experiment was made that has proved completely successful.

Having been built under a special Act of Parliament, it was decided that the vessels should be completed in all respects for sea, with the exception of their ammunition and consumable stores, at the Works of the Contractors. This arrangement it was hoped would avoid the delay, cost, and alterations which not unfrequently attend trials of contract-built ships at the dockyards. The anticipated advantage of this arrangement has been fully realised, and the trials of guns, torpedoes, and propelling machinery, have all been carried out and completed before the vessels have been handed over. They will all be ready for commission within the financial year 1890-91.

DESIGNS OF SECOND CLASS BATTLE SHIPS, AND OF DOCKYARD SHIPS LAID DOWN IN 1890-91.

At the time when the Statement explanatory of the Navy Estimates for 1890-91 was drawn up, the designs for the "Centurion" and "Barfleur" were still incomplete. The vessels are now in hand, and the following are their leading particulars:—

Their principal dimensions are:	
Length	360 feet.
Breadth	70 ,,
Displacement	10,500 tons.
Speed on Measured Mile:	
Forced draught	18 to $18\frac{1}{2}$ knots.
Natural draught	17 knots.
Coal supply at designed load draught	750 tons.

The Armament of each ship will include:

4 10-inch 29-ton guns in two barbettes.
10 4.7-inch quick-firing guns.
17 6-pr. and 3-pr. quick-firing guns.
5 Torpedo tubes, above water.
2 ,, ,, submerged.

The disposition of the armament is very similar to that of the First Class Battle Ships.

The 10-inch guns are mounted in pairs in armoured barbettes which extend down to the steel protective deck at the top of the armour belt. These guns will be capable of being worked entirely by manual power, and, in addition, steam power will be supplied for the training of the guns and the supply of the ammunition.

The armour protection of the hull proper consists of a belt of armour, having a maximum thickness of 12 inches, extending over a length exceeding 200 feet amidships, being completed by armoured bulkheads, with a steel deck from 2 to $2\frac{1}{2}$ inches in thickness at the top of the belt. Before and abaft the armour belt a strong protective under-water deck completes the protection to the bow and stern.

Above the thick belt the broadside will be protected to a height of $9\frac{1}{4}$ feet above water by steel armour and wood backing equivalent to a total thickness of 4 inches of steel.

Screen bulkheads, similarly armoured, complete the protection to the sides of the barbettes.

The barbette armour has a maximum thickness of 9 inches.

The guns forming the auxiliary armament and their crews are also well protected, either by fixed casemates, or by strong shields revolving with the mountings.

The heavy guns forward are carried at a height of 25 feet above water, and those aft a trifle lower.

These ships, like the First Class Barbette Battle Ships, will be of high freeboard throughout their length, with a flush upper deck.

It will be noted that the size of these Second Class Battle Ships as built will exceed the dimensions of its original estimate. This increase in size has been approved after very full consideration, and is associated with the following advantages:—

(1) Wood and copper sheathing on the bottoms, adapting the vessels for employment on distant services, where docking facilities may not be available.

(2) An increase in the weight of armament, both of guns and torpedoes.

(3) Improved protection, in the form of casemates, to the guns in the auxiliary armament.

(4) Larger and heavier boilers, giving a higher development of power for continuous sea service.

(5) The limitation of extreme draught, when fully laden, to 26 feet.

If these vessels are completed without further demands being made upon them for additional weights to be carried in connection with the armament or equipment, they will be capable of carrying 50 per cent. more coal than has been named above, and bunker space sufficient to carry this full supply has been provided.

"ROYAL ARTHUR" AND "CRESCENT."

Modifications in Designs.

These two First Class Cruisers were the last laid down in the Dockyards under the Naval Defence Act of 1889.

After full consideration it was decided by the Board to modify their design in the following particulars:—

(1) To give to the vessels a long forecastle, extending about 110 feet from the bow, and increasing the height of freeboard forward by 7½ feet. Upon this forecastle, at a height of 25½ feet above water, two 6-inch quick-firing guns are to be mounted as bow chasers, in place of the single 9·2-inch gun carried forward on the upper deck in the other First Class Cruisers.

A description of the design of the First Class Cruisers appeared in the Navy Estimates of 1889-90, and it applies also to the "Royal Arthur" and "Crescent," in all other respects than those above mentioned. These vessels will be wood-sheathed and coppered.

DESIGNS FOR ASTRÆA CLASS.

Second Class Cruisers.

The experience gained by the behaviour of the Cruisers during recent Naval Manœuvres determined the Board of Admiralty to somewhat modify the design of the eight Second Class Cruisers remaining to be built from the original design for the "Apollo" class described in preceding Navy Estimates.

The Principal Dimensions of the Astræa class are:—

Length	320 feet.
Breadth	49 feet 6 ins.
Displacement	4360 tons.

Speed on Measured Mile:—

Forced draught	19½ knots.
Natural draught	18¼ ,,

Armament:—

2—6-in. quick-firing guns, bow, and stern chasers.
8—4·7-in. guns, quick-firing on the broadside.
9—6 prs. and 3 prs. quick-firing.
4 Torpedo tubes (18-in. torpedo new pattern).

The thicknesses of protective deck, and protection to the machinery, as well as the coal supply to be carried at the designed load draught, are identical with those of the vessels of the "Apollo" class.

All these eight vessels are to be wood-sheathed and coppered.

As compared with the "Apollo" class, the essential difference is that they are of high freeboard throughout the length with a flush upper deck, instead of having a poop and forecastle and waist.

Two 4·7-inch guns have been added to the broadside armament.

The whole of the broadside armament is carried on the upper deck in the "Astræa" class at about eight feet greater height above water than in the "Apollo" class. This increase in dimensions, combined with higher freeboard, will greatly facilitate the continuous maintenance of a high rate of speed in a seaway.

TORPEDO GUNBOATS.

In my statement for 1890-91, I then pointed out that the orders for the remaining torpedo gunboats under the Naval Defence Act were purposely delayed, in order to benefit by the experience to be obtained from the completion of trials then in progress with earlier vessels of the class.

These trials have occupied a considerable period during the last year, as unforeseen difficulties have occurred with the boilers, when working at the highest powers intended in the design.

These difficulties have with the experience gained been to a large extent overcome, but the maximum power under forced draught, originally intended to be developed, has not been obtained.

The structural strength of the vessels has been severely tested during their long-continued steam trials, and several of them have been launched with machinery and boilers on board. The result has been satisfactory.

Two of the vessels are now in commission. The "Speedwell" has been attached to the Channel Squadron for several months, and took part in the Naval Manœuvres of 1890. The reports, which have been received, have on the whole been satisfactory in relation to seaworthiness and behaviour.

The question of the modifications to be embodied in the designs for the vessels yet to be ordered is now on the point of being dealt with finally.

DOCKYARD-BUILT SHIPS.

All the ships that were ordered and commenced in the dockyards before 1889-90 will, with the exception of "Blake," be practically completed this financial year. This ship will be completed in 1891-92.

The number of ships of all classes building or to be built in the dockyards under the Naval Defence Act of 1889, by the 31st March, 1894, was thirty-eight, and they comprise *four* First Class Battleships, *two* Second Class Battleships, *four* First Class Cruisers, *twelve* Second Class Cruisers of the "Apollo" and "Astræa" classes, *four* Second Class Cruisers of the "Pandora" class, and *twelve* Torpedo Gunboats. Twenty-eight of these vessels are in hand, and are being advanced with great rapidity. Of the remaining ten, five Second Class Cruisers of the "Apollo" class will be commenced during the financial year 1891-92, and five Torpedo Gunboats will be laid down in the financial year 1892-93.

The first of the four First Class Battleships, the "Royal Sovereign," building at Portsmouth, will be launched on the 26th February; the second, the "Renown," building at Pembroke, in May next; and the third, the "Hood," at Chatham, will be ready for launching very shortly.

The "Royal Sovereign" was laid down in the month of September, 1889, and the work upon her and the other vessels of her class has been performed with unprecedented quickness and economy.

The two Second Class Battleships have just been commenced.

The first of the four First Class Cruisers, the "Edgar," was launched at Devonport in November last; the second, the "Royal Arthur," will be launched at Portsmouth on the 26th February; and the third, the "Hawke," is nearly ready for launching at Chatham.

One of the Second Class Cruisers was launched last August, and the second will be launched on the 10th February. Three of the Second Class Cruisers of the "Pandora" class are already afloat. Two of the Torpedo Gunboats, the

"Gossamer" and "Gleaner," have been launched, and are nearly complete. The machinery of these two vessels has been made in the dockyard, and the "Gossamer" has passed her steam trials with great success. She will be completed ready for commission during the present financial year.

The propelling machinery for several dockyard-built ships has recently been made in the workshops of those establishments.

This step was originally taken for economical reasons, as it has been impossible to keep all the different classes of workmen and the plant necessary for dealing in an emergency with the repairs of the fleet profitably employed at other times upon small work. The experiment has been most successful both in the quality and cost of the work done. It is not, however, proposed for the present to do more in this direction than to so combine orders for new machinery with repairs as to keep up the engineering establishment to a proper standard of numbers and efficiency.

The ships that have thus been engined are the gunboats "Pheasant," "Partridge," "Lapwing," "Ringdove," and "Gossamer," and they have passed their steam trials with successful results. Those for which new machinery is now in hand are the "Rupert"—an old vessel requiring re-engining—the "Astræa" and "Phœbe," two of the new Second Class Cruisers, and the Torpedo Gunboat "Gleaner." The machinery for the Second Class Cruisers "Fox," "Forte," and "Hermione," and the Torpedo Gunboat "Hebe," will be taken in hand during the financial year 1891-92. This association work upon the machinery and hulls will be closely watched, and the whole effect of this arrangement as regards economy and efficiency will be thoroughly tested.

The reductions previously reported in the cost of building the "Trafalgar" and "Nile" over the original estimates (which were based on the old system), have been confirmed as regards "Trafalgar" by the complete cost accounts for that ship. They alone show a saving of over £100,000. The vessels of the same class now building under the Naval Defence Act have been built at a cheaper rate, up to date.

RECONSTRUCTION.

The re-arming and re-engining of "Thunderer" has been completed during the year, and similar work upon "Devastation," "Rupert," and "Hercules" has been advanced as far as possible.

REFITS.

The "Alexandra" has had new boilers fitted and her armament partly altered, and she will now be commissioned as the flagship of the Reserve Squadron.

The "Achilles" and "Minotaur" have been similarly dealt with, but their main armaments remain unaltered. The "Minotaur" has been completed; and the "Achilles" will be passed into the 1st Class Reserve before the end of the present financial year.

The "Superb" has been re-engined and re-boilered, and she will now be placed in the 1st Class Reserve.

The repair and refit of "Swiftsure," Satellite," "Icarus," "Wrangler," "Racer," and "Starling" will be completed during the present financial year; similar work in the "Nelson" and "Calliope" will be also well advanced.

MISCELLANEOUS DOCKYARD SERVICES.

The expenditure under this head, which comprises repairs to yard machinery, yard plant, &c., storekeeping, manufacture and repair of ordinary stores for issue to ships, &c., has been for some time past closely watched and kept as low as possible without sacrifice of efficiency at the various yards.

This class of expenditure at the Naval yards abroad is now being personally looked into with other matters of importance. The inspection of these yards by Admiralty Officers has made considerable advancement during the last two years, and much good has resulted from it.

Machinery and Steam Trials.

The total number of vessels which, since 31st March last, have passed their final machinery trials are:

No.	Class.	Name.
2	Battle ships	"Nile," "Thunderer."
9	3rd Class Cruisers	"Blanche," "Blonde," "Barracouta," "Bellona," also the five Colonial Cruisers, "Tauranga," "Ringarooma," "Katoomba," "Mildura," and "Wallaroo."
2	1st Class Screw Gunboats	"Lapwing" and "Ringdove."
10	Torpedo Gunboats	"Speedwell," "Skipjack," "Seagull," Salamander," "Sheldrake," "Sharpshooter," and "Spanker," "Gossamer," and two Colonial Boats, "Karrakatta," "Boomerang."
1	Tug and Water Tank Vessel	"Asp."

It is anticipated that the following ships will pass through their machinery trials before 31st March next, viz.:—

No.	Class.	Name.
1	Battle Ship	"Superb."
1	Torpedo Depôt Ship	"Vulcan."
1	2nd Class Cruiser	"Latona."
5	3rd Class Cruisers	"Pearl," "Philomel," "Pallas," "Phœbe," and "Barham."

I stated last year that the trials of "Vulcan" would take place early in this financial year, but owing to difficulties which have been encountered with the boilers of ships similarly fitted, viz., with double-ended boilers having common combustion chambers, it was considered desirable to postpone the trials of the "Vulcan," and those of other ships, till certain further experiments with their boilers had been completed.

On the steam trials of the "Blanche" and "Blonde" the principal defects developed were connected with leakage of boiler tubes. To remedy this the Engineer-in-Chief directed the number of tubes to be reduced, believing that the leakage was largely due to a want of circulation of water over the tube plates. This alteration reduced by about 5 per cent. the I.H.P. expected to be obtained, but the leakages were practically stopped.

It was afterwards decided not to carry out in vessels thus boilered the extreme forced draught trial.

All the battle ships and cruisers now building under the Naval Defence Act have boilers of a different type, and their capacity and weight have in most instances been largely increased upon the original design. The air pressure or forced draught under which their maximum speed is to be developed is limited to a pressure of 1″ on the water gauge. Every precaution has been taken to prevent a repetition of the difficulties recently experienced.

The "Latona," the first of the thus-engined vessels, is now undergoing her steam trials. They have been completely successful. On the eight hours natural draught 7,250 H.P. have been developed, as against 7,000 contracted for, giving a speed of 19 knots, as against 18½ promised on the design.

At the conclusion of the trial a thorough examination showed the boilers to be in a practically perfect condition.

On the forced draught trial, with a moderate air pressure of about 1″, the high speed of 20 knots was reached without difficulty.

The estimates as to maximum power at forced draught in the boilers of the torpedo gun-boats, and also of the "Barham" and "Bellona" (third-class cruisers), which are of the locomotive type, have not been realised. The earlier trials developed defects chiefly connected with leakage of boiler tubes. Various experiments were carried out, the results of which led to certain modifications being made in these boilers; and on progressive trials since carried out in some of these ships an I.H.P. of 3,900 has been obtained, as against 4,500 originally specified, or within $12\frac{2}{3}$ per cent. of that H.P.

This reduction in power represents a loss in speed of about a knot under forced draught conditions.

The trial at maximum forced draught in vessels with boilers of the locomotive type has not been pressed.

In the five boats of this class now under construction larger and heavier boilers will be fitted, and a lower maximum power has been specified, while the power at limited air pressure, which is unaltered, will be more easily obtained and maintained. The orders for the machinery of these boats have been placed.

The review, therefore, of the steam trials of the past year cannot be said to be altogether satisfactory. The difficulties experienced have been overcome, but by changes reducing the estimated I.H.P. and speed of the vessels.

The Engineer-in-Chief deserves high credit for the assiduity and ingenuity which he has displayed in overcoming the difficulties connected with the designs of boilers which he did not originate. The specifications and details of marine engines are of so technical a character that none but a trained and practical engineer can adequately supervise or criticise them. Thus an unusually heavy responsibility is centred on the Engineer-in-Chief which cannot be shared by members of the Board of Admiralty. The dimensions of a ship, its armament, and equipment can be criticised, altered, and discussed by Naval officers, and laymen even, although they may have little technical knowledge of the principles of shipbuilding. Such a discussion or examination is not possible, to the same extent, except by trained experts, upon the specifications of a design for marine machinery. The hasty adoption of a faulty principle or immature idea in the designs of engines might not be detected outside the department preparing or initiating the design until the actual working of the engines themselves revealed the mistake made.

The first public test imposed on engines and machinery of men of war is the measured mile trial. In this age of eager competition the wish to beat all recorded performances is a legitimate ambition of a skilled engineer. The measured mile lends itself to a fallacious test, for the ratio of boiler to engine power, which on a given weight will give the highest speed under limited conditions both of time and distance, is not the proportion which will ensure the best result for longer distances in the open sea.

When the designs for the machinery of the first ships to be built for the Naval Defence Act were under consideration, three Inspectors of Machinery from the Dockyards, as representing the latest views of sea-going engineers, were formed into a Committee to co-operate with the Engineer-in-Chief. The result of their joint deliberations was a large increase in the boiler power of the cruisers, and the addition of weight by the substitution of single for common combustion chambers. The Board of Admiralty propose to make permanent this Committee, and to associate with its work certain remuneration. Their duty will hereafter be to examine all new designs, and as the members of the Committee will be selected from the Inspectors of Machinery and Chief Engineers of the Dockyard who are periodically changing, it will continue to represent the latest views of practical seagoing and manufacturing Engineers.

In making this Committee a permanent institution, the Board of Admiralty wish at the same time to record their full confidence in the Engineer-in-Chief, who has discharged his exceptionally onerous duties with ability and discretion. They believe that the establishment of such a Committee will not only ensure the necessary combination of theory and experience, but will be a guarantee that changes and innovations of importance in the machinery of the Navy will not be adopted without full discussion and adequate experiment.

NAVAL DEFENCE ACT.

The work contemplated by the Naval Defence Act is now sufficiently advanced to enable a reliable forecast to be made both of the date at which it will be completed, as well as of its actual as compared with its estimated cost. The number of ships to be built was seventy, of an estimated displacement of 316,000 tons, and carrying 540 guns, exclusive of machine guns and guns of small calibre. The whole of these vessels with their armament and equipment were to be completed and ready for commission before the 1st April 1894. With the single exception of one contract-built ship, whose progress has been slow, there is every reason to believe, upon our present data, that the remaining sixty-nine will, with their armament and reserve guns, be finished before the date named.

The sketch estimate made in 1889 of their prospective cost made an allowance of £10,000,000 for 32 contract-built ships and £11,500,000 for 38 dockyard-built ships. This was inclusive of armament and equipment.

The 32 contract ships will, so far as we can foresee, be finished, armed, and equipped for that sum. The extra guns for reserve will also be provided, but owing to certain additional charges which I will subsequently enumerate, we shall not be able to supply in addition the amount of reserve ammunition we have originally contemplated.

On the armament of the dockyard-built ships there is a saving of £313,000, and an excess of £920,000 on the hulls, boilers, and machinery, making a net excess of £607,000.

This excess over the original estimate is due to a remarkable rise in prices, to the substitution of larger and heavier boilers in the cruisers, necessitating an increase in their dimensions, to the strengthening of the gun mountings and gun pedestals to meet the recoil of the higher velocity imparted by smokeless powder, and to certain modifications and improvements in the later of the dockyard ships suggested by the experience gained at the manœuvres and elsewhere afloat.

Of the causes which thus disturbed our calculations all except rise in prices represent a distinct gain in the efficiency and power of the ships building, and a rise in prices, even though it may prejudicially affect Navy votes, more than compensated the exchequer from which such payments are made by its addition to the national revenue.

At the time the Naval Defence Act was under consideration, it was urged by its advocates that the method of placing a statutory obligation on a department to finish a great ship-building programme in its entirety within a given time would ensure a rapid and continuous prosecution of ships once begun, would prevent subsequent structural alterations and changes, and would further secure a closer adherence to the original estimates of cost than the more dilatory and changeable system it superseded.

The administrative advantages associated with the change then inaugurated have been completely realised, and although I regret that the financial results show an excess over the forecast of expenditure, still the improvement even in this respect is satisfactory. Taking the actual cost of the larger ships built for the ten years previous to 1885, they show an excess on the average over their original estimates, as presented to Parliament, of from 20 to 30 per cent. The excess here shown is less than 3 per cent., and including the amount of the reserve ammunition, less than 5 per cent.

Under the old system the excess over individual estimates was so buried in the general expenditure of the year that notice or attention was not necessarily directed towards it. But any excess of a statutory maximum requires a fresh Act of Parliament for its sanction and a special vote to defray it.

To meet this excess no special provision over and above the ordinary estimates is necessary. Between now and April 1894 we calculated that if the ship-building vote remained at its present level, and the Naval Defence Act Estimates were not exceeded, there would be an aggregate surplus on that vote of about £3,000,000, and any excess will be met out of that sum. We do not propose this year to introduce any special Act to enlarge the limits of expenditure of the original Act, as it will be better to wait until actual figures can be substituted for the forecast now made.

The success which has attended the changes of late years in the dockyards, and the reduction in cost of work done, is largely due to the manner in which the trades and workmen of the dockyards have accepted these reforms. The Admiralty have, therefore, been glad to be able to recommend to the Treasury, after a careful enquiry into the petition and complaints of the men, an increase to the wages now paid. This rise will commence on the 1st April next. The increase in wages will be an addition, so far as new construction is concerned, to the present estimated cost of the ships building under the Naval Defence Act.

NAVAL ORDNANCE.

The satisfactory rate of progress with the manufacture and supply of guns for the Navy, which was mentioned in the statement for last year, has been maintained during the year ending December 31, 1890, and the total number of new breech-loading guns (exclusive of small quick-firing and machine guns) completed by the manufacturers during the year is 240, viz. :—

Nature of Gun.	Number Completed.
16·25-inch of 110 tons	2
13·5 " 67 "	11
10 " 29 "	2
9·2 " 22 "	12
6 " 5 "	12
6-inch quick-firing	2
5 " of 40 cwt.	41
4·7-inch quick-firing	134
4-inch of 26 cwt.	24
Total	240

The manufacture of the guns for the ships building under the Naval Defence Act, 1889, has been materially advanced, especially in the case of the heavy guns which are being made in the Royal Gun Factory.

The number of breech-loading guns afloat and mounted on December 31, 1890, was 1,410, as compared with 1,293 on December 31, 1889. This is exclusive of small quick-firing and machine guns.

Much discussion has taken place on the relative value of hand and hydraulic worked guns. As frequently pointed out, the 10-inch breech-loading gun of 29 tons weight is the heaviest service gun which it is considered can be efficiently worked on board ship by hand power alone. The "Thunderer" has recently been re-armed with four such guns, and has just completed her gunnery trials satisfactorily. In the new second class battle ships it is arranged that the 10-inch guns will be similarly worked by hand; but even with 10-inch guns, except when mounted singly, it is imperative to employ steam or hydraulic power for efficiently training the turret or barbette under ordinary circumstances, accepting manual power only as a reserve with slower motion.

The type of mounting which hand-working necessitates has, however, certain disadvantages, compared with one worked by hydraulic power. For instance, if placed in a turret a much larger port is required, since a hand-worked gun must be pivotted further inside the turret, owing to the use of trunnions, than one on an hydraulic mounting, involving greater exposure of the gun, mounting, and gun's crew; whilst if placed in a barbette, the gun and a portion of the mounting are permanently above the thick armour protection, and this disadvantage is serious. Then there is considerable difficulty in working by hand the breech-screw of a heavy gun, as well as the various parts of the mounting, without the introduction of mechanism far more delicate and liable to injury than the hydraulic arrangements now in use.

It is very often objected that guns worked by hydraulic power are more liable to failure than those worked by hand, and that the mechanism is delicate. This is not correct. As stated above, the adoption of hand-worked guns of large size necessitates the introduction of various mechanical devices to give the necessary power to the hand gear. Hydraulic mechanism, on the other hand, is exceedingly simple; and if a comparison be made between the actual machinery for opening and closing the breech of a 9·2-inch breech-loading gun of 22 tons, and the 16·25-inch breech-loading gun of 110 tons, the former by hand, the latter by hydraulic power, the latter has undoubtedly the advantage in simplicity.

The above reasons have so far militated against the adoption of hand-worked mountings for guns of heavier calibre than 10 inches. No doubt much larger guns than these can be worked by hand-power alone, but there would follow a corresponding increase in the complexity of the mechanism required to enable manual labour to work the heavier moving parts.

At the same time every endeavour has been made to introduce, where possible, alternative hand gear in connection with the hydraulic mountings of the new first-class battle ships, and where hand gear has been found to be impracticable, duplication of the machinery has been adopted.

In order to test the accuracy of the statement so frequently made that the heavy breech-loading guns can only be fired once in a quarter of an hour, four rounds were fired from one of the 67-ton guns in the "Trafalgar's" turret as rapidly as possible during the gunnery trials of that ship. The time occupied was 9½ minutes; this rapidity would be exceeded in a ship which had been a short time in commission, when the gun's crew would have gained more experience, and had become accustomed to work together. Eight rounds could have been fired in the same time had both guns been worked together.

The most important advance made in Naval Ordnance during the year has been the completion of the new 6-inch 100-pounder quick-firing gun and mounting. Most satisfactory trials have already been carried out, and the results attained are far in advance of anything that has before been accomplished. As many as six rounds a minute have been fired. The type of mounting is a very great advance on previous designs, especially as regards the amount of protection afforded to the gun's crew.

The full power, however, of these quick-firing guns will not be advantageously employed until smokeless powder has been introduced into the Naval Service. Arrangements are now in progress for issuing smokeless powder to certain ships for further trial under service conditions, and it is hoped that its general adoption into the Naval Service will not be long delayed.

The 4·7-inch 45-pounder quick-firing gun, with which further experience has now been gained, has proved to be thoroughly efficient. Several ships armed with this weapon, including the whole of the Australian Squadron, have completed their gunnery trials with most satisfactory results.

During the year ending 31st December, 1890, 150 of the more powerful Whitehead torpedoes referred to in last year's report, together with 587 of the previous smaller pattern, have been added to the existing stock.

An important inquiry as to the custody of Naval Ordnance stores and the accounts connected therewith has been carried to a successful issue. On March 31st next the Admiralty will assume entire control of the custody of all Naval Ordnance Stores at Portsmouth, Devonport, Chatham, and Woolwich; and during the course of the year it is hoped that similar arrangements will be made as to the remaining Ordnance depôts abroad, and the minor depôts at home. This important re-organisation will be effected without any increase in the cost of management, and it is believed that at last a thoroughly satisfactory solution has been arrived at of a most difficult problem.

While a complete separation will be thus effected as regards the custody, accounts, and administration of Naval Ordnance stores, the necessity of absolute interchangeability in Ordnance material belonging to the Navy, Army, India, and the Colonies respectively has been assured by making it a *sine quâ non* that all sealed patterns and experiments shall be dealt with by the Ordnance Committee, and that all guns and Ordnance stores of every description shall pass through one Central Inspection Department before issue.

Further modifications may be desirable and will be considered, but in so large and important a matter it is very desirable to act with caution, so as to avoid too great a disturbance in the current work of supply and administration of stores valued at twenty millions sterling.

ARMOUR-PLATE EXPERIMENTS.

During the year 1890-91 an extensive series of experiments with armour-plates has been carried out in continuation of those which have been in progress during the last three years.

These trials have added largely to our information as to the qualities of different kinds of armour, and has led to a considerable extension of the sources of supply for armour-plates.

The range of the experiments has been great, extending from plates 4 inches in thickness up to plates 18 inches in thickness, fired at by guns varying from 5 inches in calibre to 12 inches; and including examples of the best modes of manufacture in compound (or steel-faced) armour and steel.

Under the last mentioned category several specimens of nickel-steel armour have been fired at, the first nickel-steel plate being tested in April 1890.

Arrangements have been made for the continuation of these experiments in connection with the supply of the armour for the "Centurion" and "Barfleur." The broad conclusions hitherto arrived at and acted upon have been that for armour of the thicknesses required for the main defence of the First Class Battle-ships, compound (or steel-faced) plating was to be preferred.

These experiments show that the manufacture of steel armour has greatly improved of recent years, whilst that of compound armour has been less progressive.

All-steel armour has therefore been used in large quantities for the secondary defence of the battle-ships, for the protection of the auxiliary armaments, and for the protection of the machinery in vessels of the Cruiser classes.

It has not been considered expedient hitherto to publish details of these experiments; but, in order to encourage British manufactures in every possible way, full details of the trials of any particular plates have been furnished to their makers, and in many cases the Admiralty have undertaken to fire at experimental plates supplied by the manufacturers.

NEW WORKS.

The Estimate for the New Works Vote for 1891-92 shows a reduction, chiefly due to a less sum being taken up for storehouses and other works for Naval Ordnance stores.

During the present financial year the New Dock at Malta will be completed, and the extension of the Yard will be completed in 1892-93.

The coaling arrangements at Portland are well in hand.

At Portsmouth the New Coaling Station will be ready for use this year.

It is proposed to proceed at once with the construction of a Coaling Jetty at Keyham Dockyard. The Estimate for this work is £70,000, which includes the necessary railways and approaches, &c., but is exclusive of machinery.

The Naval Gunnery Establishment and Barracks at Whale Island, Portsmouth, will be completed by the end of the current year.

It is proposed to commence the construction of New Naval Barracks at Portsmouth to accommodate 50 officers and 1,000 men.

The favourable results anticipated from the substitution of commodious buildings on shore for the old hulks in which the seamen were previously accommodated, have been fully realised in the case of Whale Island and Keyham Barracks, and the extension of the system of Naval Barracks is recognised as a matter of urgent necessity.

The Admiralty are now in negotiation for the transfer from the Home Office of the late convict barracks at Chatham, which at a moderate cost can be converted into and fitted up as Naval Barracks. They are in the immediate vicinity of the dockyard.

The dredging of the channel of the river Medway will be completed early in the current year.

At Haulbowline it is intended to provide dolphins at the basin entrance to the new dock to facilitate the passage of ships; in other respects the works are now completed.

At Sydney, New South Wales, naval works comprising naval and victualling stores, engine and ship repairing factory, deep water wharf with sheers to lift the heaviest guns, and extensive magazines for Naval Ordnance Stores, are being carried out by, and at the expense of, the Colonial Government. The completion of these works will allow of the surrender of the Admiralty Establishment at the Circular Quay, Sydney, to the Colonial Government.

At Bombay, a dry dock constructed by the Port Trust, of the following dimensions, is approaching completion:—

Length on floor 500 feet, breadth of entrance 65½ feet, depth for docking 27¼ feet at high water ordinary spring tides.

The dock will admit the "Aurora" and "Edgar" classes of H.M. ships, but not the largest battle ships.

The Halifax Commercial Dock subsidised by the Admiralty is now open, and the first payment will be made in 1891-92. The two other subsidised docks at Esquimalt and Hong Kong are both open and in use.

For the purpose of affording communication, 120 new signal stations have been recently established round the coast of the United Kingdom.

MOBILISATION AND MANNING REQUIREMENTS OF THE FLEET.

In a paper already laid before Parliament (November 1890) a full description has been given of the partial mobilisation of the Fleet and Manœuvres in 1890.

The order for the partial mobilisation was issued on July 21st, and on the following day 48 ships and torpedo boats (24 of each) were commissioned.

In addition to these, nine coast guard ships and three guard ships, all armour clads, had their crews completed, and on the 26th the whole of the 36 ships, with three exceptions, and torpedo boats had reached the places of assembly, forming, together with the Channel Squadron and Training Squadron, a total of 56 ships of various classes, and 24 torpedo boats.

As the number of ships, especially those of modern types, in permanent commission previous to mobilisation was larger than in 1889, the actual number suddenly put in commission by the order to mobilise was less than in the preceding year. About 9,000 men were added to those already afloat, and the total number engaged in the subsequent manœuvres was about 19,000. There were practically no deficiencies in manning the above-mentioned ships, and the resources in engine-room ratings allowed a certain number of supernumerary stokers to be carried for training. The reports of Commanding Officers on these men were very satisfactory.

One of the impediments to efficient and rapid mobilisation is the condition of Chatham-Sheerness as a naval port. The increased capacity of Chatham Dockyard has outstripped the available resources of the personnel there located. Considerable numbers of men have to be transferred from the western ports to complete the complements of the ships in this eastern port. This is especially the case as regard gunnery and torpedo ratings, there being no gunnery or torpedo school attached to the Chatham-Sheerness command. To remedy this inconvenience, steps are being taken to obtain increased barrack accommodation, and to so add to the Chatham establishments as to make them, as far as is practicable, self-supporting.

The chain of signal stations established round the coast of the United Kingdom were mobilised on August 7th, the day before the 1890 manœuvres commenced, and during the progress of the simulated hostilities, the system of distributing intelligence, which had been somewhat modified in accordance with the experience gained during the manœuvres of 1889, was tested with satisfactory results. Too much importance cannot be attached to this part of the preparation for war, and to the necessity of periodically subjecting to a practical test the completeness of this portion of our arrangements. The only two points in which these arrangements now fall short of completeness are :—

1. In the connection of certain of the signal stations with the general telegraphic system, and
2. The provision of semaphores for signal stations on the coasts of Scotland, Ireland, and the West of England, those for the South and East coast of England having been provided this year.

With regard to (1) where it is not proposed to actually connect up stations, arrangements are being made for doing so as rapidly as necessary in case of emergency, and the full provision of semaphores, though postponed this year, will be taken in hand the year following.

Advantage was also taken at the time of the manœuvres to test the sufficiency of the accommodation of the Home Hospitals for wounded men in time of war, the efficiency of the staffs of the establishments, and the arrangements for the prompt reception and treatment of such patients. The result of the investigation was very satisfactory, and it was found that there would be ample means by expansion in time of pressure.

The health of the Navy during 1889, the last year for which returns have been tabulated, has been most satisfactory, the rates of sickness, invaliding, and death being lower than in many preceding years.

Owing to the increase of duties imposed on our sea-going fleet, considerable additions have during the last eighteen months been made both to the number of ships and men in commission, especially in the Mediterranean and Channel Squadrons; the number of ships and men in commission being:—

	Ships.	Complements.
1st January 1891	277	43,296
1st April 1889	266	38,928
Increase	11	4,268

This increase to our fleets abroad has reduced the number of trained men in reserve at the home ports, and pending the additions to the seamen class, which the very large entries of boys during the last two years will give, some difficulty has been experienced in providing all the reliefs required for service abroad. An investigation into the actual duties which engage the Naval service shows how large a proportion of Officers and men are locked up in training establishments and educational courses, and in performing subsidiary work, such as surveying, and transport of troops, &c. At the time when the ships in commission were insufficient to give adequate work and training to the Officers and men of the fleet, such employment was judicious, but when the number of fighting vessels is so increased as to be more than able to employ and train the peace establishments, the employment of very highly trained and instructed men in work of so secondary a nature is a waste of power.

I am therefore taking steps to reduce as far as I can the number of Officers, men, and boys afloat in non-fighting vessels, and at the same time to shorten the general course of study for Officers at the Naval College, and of gunnery and torpedo instruction for all but those who show special aptitude and ability. These changes will in course of time give some relief, and increase the numbers available for foreign reliefs and active service at home.

In looking ahead to the increased demands which the gradual completion of the new ship-building programme will make upon our manning resources, I have endeavoured to keep in view and combine certain definite objects. It seemed to me to be quite unreasonable to expect that the whole of the extra force required to man, three years hence, our greatly increased fleet, should exclusively consist of Officers and men on the permanent establishments of the Navy, of continuous service and entitled to pension. I was therefore anxious to associate the increase of the permanent establishments with a steady growth in the numbers and efficiency of the Royal Naval Reserve. The additions which have been made to the personnel of the Navy, since the Naval Defence Act was passed, have been large. Vote A stood at 62,600 in March 1889. It has now reached 68,800; and I propose to raise it to 71,000 this year, and gradually to work up in subsequent years to a total of 75,000.

Success in future naval wars will, I believe, rest not so much with numbers as with the force who can make the best use of the scientific weapons at their disposal.

The requirements of the Naval service may be thus classified in the order in which there is the most difficulty of supply.

1*a*. Executive Officers.
b. Warrant Officers.
2*a*. Engineer Officers.
b. Engine-room Artificers.
3. Petty Officers and Seamen.
4. Fleet Artificers.
5. Stokers.

1 and 2 represent Officers and men for whose complete training years are required. They could not be obtained to any considerable extent in an emergency.

3 and 4. Require a more limited training and, with the exception of Petty Officers, probably could be obtained in considerable numbers in an emergency if high enough terms were offered.

5. Require only a limited training, and could be obtained rapidly at short notice.

Following out the views which this classification suggests, I propose that the increase to the establishment should mainly consist of highly-trained men, and I wish to supplement this addition by arrangements for drawing largely in time of emergency (but with the assent and co-operation of their employers), upon those whose work and daily vocation specially trains them for service afloat.

The sufficiency of my proposals entirely depends upon how far the Royal Naval Reserve is a reliable auxiliary force, upon which the naval authorities can, in emergency, lay their hands with confidence. It must be remembered that in addition to our war ships and subsidised cruisers, armament for 50 merchant cruisers is provided in our dockyards at home and abroad, and the complements of these ships must mainly be provided from the Mercantile Marine. The Royal Naval Reserve therefore constitutes a larger part of our system of naval defence than at first sight is apparent.

If this force is one which can be made a trustworthy complement of the regular forces, the time has arrived when it should be further developed. If it is merely a peace paper force it should be abolished, and the money spent upon it devoted to an increase of the regular Establishment. I enclose in an appendix the report made to me by Vice-Admiral Sir George Tryon, Admiral-Superintendent of Reserves, upon the result of his inspection and experience of the past year. It is highly satisfactory. I thought it however advisable to more thoroughly sift the whole question, and to obtain such an authoritative report as would justify decisive action one way or the other.

I have therefore appointed a Committee "to enquire into and report on the" "present system for the enrolment and maintenance of the Naval Volunteer Forces" "raised under 22, 23 Vict.,* and under 36, 37 Vict.†"

"Also to enquire and report on the numerical strength of the force, with a" "view to a possible increase, both in numbers and efficiency, of a reserve closely" "and intimately connected with the regular Naval force of the country, with" "authority to call witnesses and report, and to enquire at ports when necessary" "personally or by Sub-Committee."

The Committee will consist of—

Vice-Admiral Sir George Tryon, K.C.B. (Chairman).
Captain E. Rice, R.N.
Captain T. F. Hammill, R.N. (Naval Intelligence Department).
Mr. Swanston, C.B. (Board of Trade).
Sir Charles Rivers Wilson, K.C.M.G., C.B. (representing Treasury).
Sir Allen Young, C.B., Hon. Commander, R.N.R. and R.N.A.V.
Mr. Ismay (White Star Line).
Captain Angove (P. and O. Company), Hon. Commander, R.N.R.

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* The first Act refers to the force popularly called the R.N.R.

† The second Act refers to the R.N.A.V.

The increase to Vote A this year will comprise 2,200, made up as follows :—

Commissioned Officers	17
Subordinate Officers	70
Warrant Officers	52
Artificers	125
Engine Room Ratings	670
Other Petty Officers, and Ratings	361
Boys { Service	755
Boys { Training	150
Total	2,200

The increase to the number of boys in training will require an additional training ship. At present all the Ships engaged in this work are located in the south of England. A training ship is a recruiting attraction, and the districts in which they are placed consequently contribute more than other parts of the country to the manning of the Fleet. A large proportion of the hereditary seafaring class is now to be found in the northern districts of the country, and, with a view of obtaining recruits from this natural source of supply, the new training ship will be placed in the Firth of Forth at Queensferry.

GENERAL ADMINISTRATION.

The changes proposed in my statement of last year by which the Mediterranean Fleet was to be raised to a strength of ten battle ships and two armoured cruisers, the channel squadron converted into a homogeneous squadron of modern ships of high speed, and seagoing ironclads substituted for the hulks then flying the flags of the Commanders-in-Chief at the Home Ports have all been carried out, with the single exception of the flagship at Portsmouth. The "Nelson" will in a short time take the place of the "Duke of Wellington."

There has been shown of late an increasing tendency on the part of naval authorities abroad to concentrate the great bulk of their fleets in their home waters. I do not therefore contemplate any considerable addition to our fleet in commision abroad, but the increased numbers which we propose to take in this and subsequent years will, by being employed in keeping effective in reserve, the large number of ships to be delivered at the dockyards, enable a much needed change to be effected in our dockyard administration. Under present arrangements ships, until complete, are under the control of the Admiral Superintendent. On completion they are passed into 1st Class Steam Reserve and under the Captain of the Steam Reserve, and on commission they pass under the authority of the Commander-in-Chief. The Captain of the Steam Reserve's duties are multifarious, and his staff is limited. Complaints have been made that in the intermediate stage after completion and before commission, vessels have from imperfect supervision and want of caretaking gone back, and that the success of a rapid mobilisation might be seriously impaired by the consequence of these drawbacks.

The Board has therefore given directions for the Commanders-in-Chief to take charge of the vessels when complete and after inspection. Thus the redundant or supernumerary men under his orders can be utilised in keeping effective the ships in reserve, and it is hoped that in the case of the vessels next for commission a certain proportion of the complement will be permanently attached to them.

A careful enquiry into the limits and areas of our foreign stations abroad has been made during the last twelve months with a view to such a new delimitation as the strategical, commercial, or political considerations of the present time might suggest. Only two alterations of importance are proposed. The limits of the present Cape station end on the East Coast of Africa at Delagoa Bay, but on the West they run up to 20° North latitude, or in other words, 55° North of the head-quarters of the station. The distance from the Cape, the insalubrity of the climate, and the small class of vessel there employed, render it desirable to make the North-West Coast of Africa into a separate command. The future head-quarters of the station will be Ascension, and the squadron will be re-fitted and relieved direct from home. On the East Coast the Cape station will be extended up to the Equator, thus placing under one naval authority the whole of the East Coast between the Equator and the Cape.

These changes will take place on the 1st April. They involve no increase of ships in commission, but a different distribution between the various stations.

The other change is a sub-division of the present Pacific station, by which the whole of the West Coast of South America would be taken from that station and, together with the East Coast of South America, be placed under a new command, with head-quarters at the Falkland Islands. Enquiries are being made as to which of the harbours in these islands is most suitable; in the meantime no action is proposed.

The transfer of the custody of naval ordnance stores from the War Office to the Admiralty is the latest of the various steps taken in recent years to give to the Admiralty control over, and responsibility for, business, which, from its very nature and incidence, could not be as satisfactorily undertaken by another Department.

There are Officers in both Services who believe that this transfer of duties from the Army to the Navy might with advantage be pushed much further, and that measures should at once be taken by which the Navy should immediately undertake the defence of the great naval ports, and be, in time of war, responsible for the safety of the base of their own operations.

I admit that if such a change could be carried out it would tend to secure unity of action and responsibility, and would, in an emergency, secure at the great naval ports the rapid utilisation of all available resources, for whatever movement the exigency of the moment might require.

But it is a proposal that involves so immense a change, that it is not under any conditions practicable in the immediate future. The transfers of men and money, material and buildings, which it entails would revolutionise the proportions the Army and Navy now bear to one another, and many experienced Naval Officers are averse to the change. Moreover, its increased cost in one direction is certain, whilst the counterbalancing savings are problematical. Still looking to the fact that nearly every foreign power has adopted the principle of placing their naval authorities in charge of maritime defences, care should be taken that the various alterations which from time to time must occur in the organisation both of the Army and Navy, do not increase the obstacles to such a transfer of duties. Further investigation and experience can alone determine whether the change is desirable in the common interests of both Services, and nothing in the meantime should be done to prejudice that future decision.

GEORGE HAMILTON.

February 9*th*, 1891.

APPENDIX I.

REPORT ON ROYAL NAVAL RESERVE.

During the past year the number of Royal Naval Reserve Officers has increased—in the case of Lieutenants, from 103 to 150, and of Sub-Lieutenants from 202 to 262, and of Midshipmen from 173 to 194.

The numbers allowed to be borne in future have been increased—

From 150 to 250 Lieutenants.
„ 270 „ 420 Sub-Lieutenants.
„ 200 „ 300 Midshipmen.

The number of Officers selected for a year's training, actually on service on board Her Majesty's Ships, has been maintained till recently at the fixed number of 20 annually, but last year it was decided to increase that number.

Since the regulations on this subject came into force in 1887, 33 Officers have served for a year's training in the Royal Navy; and, further, there are now 21 still serving who are in course of completing the year's service.

Other Officers have been entered for short periods of service in the Navy for the Summer Manœuvres and for short courses of Gunnery and Torpedo work in the training Establishments; the number appointed in the past year for this purpose was 28 as against 23 in 1889; and others volunteered to come forward, but at the last moment they were prevented from taking up their appointments by engagements to their employers.

In all there are now on the active list 85, Officers Royal Naval Reserve of different grades who have served for various periods in Her Majesty's Ships, against 60 at the end of 1889.

Whether in regard to those who have passed through the longer or the shorter course on board Her Majesty's Ships, the reports received from those under whom these Royal Naval Reserve Officers have served are so satisfactory from a professional point of view, that they justify me in confidently expressing the opinion that this body of officers form a valuable and reliable reserve to the Royal Navy; and, while the success of this system that has only been in force for a short time is so far assured, it is attended by the additional important advantage of bringing the Officers of Her Majesty's Navy in contact with the Officers of the Royal Naval Reserve and by the establishment of a feeling of good comradeship.

A considerable increase is observed in the entries of Engineer officers, Royal Naval Reserve, there being now 87 borne as against 66 at the end of 1889. New regulations have recently been sanctioned and are about to be put in force, the effect of which will be to improve the pay, position, and prospects of the Engineers, Royal Naval Reserve, when called out for service, while the qualifications required have been fully maintained.

As regards the men of the Royal Naval Reserve, they maintain the general standard, both in numbers and efficiency. The full number of first-class Royal Naval Reserve has been maintained, and even exceeded, but all the 1,000 second-class Royal Naval Reserve men sanctioned last year have not yet been entered—these men come forward, both for drill and for entry, during the winter months, and no difficulty whatever is to be anticipated in entering full numbers.

The number of firemen Royal Naval Reserve still slowly increases, 583 being borne at end of 1890 against 548 at end of 1889.

All the drill ships, and some of the more important Royal Naval Reserve batteries, have been supplied with a modern breech-loading gun for drill purposes, and Nordenfelt guns have recently been added to all drill stations. As guns of modern type become available they will be supplied to all batteries.

The following statement shows the progress of the Royal Naval Reserve force in 1890:—

OFFICERS.

NUMBERS BORNE.

Rank.	31 December 1891.	31 December 1890.	Estimated for 1891.
Lieutenants	103	141	191
Sub-Lieutenants	202	262	291
Midshipmen	173	194	258
Engineers and Assistant Engineers	66	87	105

	During 1889.	During 1890.
Officers who have completed a year's training:—		
Lieutenants	6	11
Sub-Lieutenants	5	4
Midshipmen	2	1
	——13	——16
Officers who have completed their training this year or are now under training:—		
Lieutenants	—	2
Sub-Lieutenants	—	14
Midshipmen	—	8
		——24
Total number of Officers who have been trained or are under training:—	40	54
Officers not under training who have been through the "Excellent" or "Vernon" for a short course of instruction:—		
Lieutenants	6	6
Sub-Lieutenants	1	3
Midshipmen	1	3
	——8	——12
Officers not under training who served in the Fleet during Summer Manœuvres only:—		
Lieutenants	5	7
Sub-Lieutenants	7	5
Midshipmen	3	4
	——15	——16

MEN.

NUMBERS BORNE.

	1889.		1890.	
	Borne.	Allowed.	Borne.	Allowed.
First Class	9,498	9,600	9,817	9,600
Second Class	8,873	9,000	9,243	10,000
Firemen	548	800	583	700
Third Class (Boys)...	259	300	238	300

G. TRYON,
Admiral Superintendent,
26th January, 1891.

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